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इस भाग में भिन्न पृष्ठ संख्या वाली जाती है जिससे कि यह महग संकलन के लिए में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड ३—उप-खण्ड (iii)

PART II—Section 3—Sub-section (III)

(लंब राज्य के अधिकारियों को छोड़कर) एवं विधीय अधिकारियों द्वारा जारी किए गए आदेश और अधिसूचनाएँ
Orders and Notifications issued by Central Authorities (other than Administrations of Union
Territories)

भारत निर्वाचन आयोग

आदेश

मई विलो, ७ अप्रैल, १९८६

का. म. ४३.—निर्वाचन आयोग का समाधान हो गया है कि नीचे की सारणी के स्तम्भ (२) में यथा विनिर्दिष्ट राजस्थान विधान सभा के निर्वाचन के लिए जो स्तम्भ (३) में विनिर्दिष्ट निर्वाचन-सेत्र से हुआ है, स्तम्भ (५) में उसको सामने विनिर्दिष्ट निर्वाचन सभाने वाला प्रथम प्रधार्णी, लोक प्रतिनिधित्व प्रतिनियम, १९५१ तथा तात्काल बनाए गए नियमों द्वारा प्रयोगित उक्त सारणी के क्रमांक (५) में यथा उपर्याप्त अपने निर्वाचन व्ययों का लेखा दाखिल करने में अपेक्षा समय के अन्दर और/या रीति से लेखा दाखिल करने में प्रसकत रहा है;

और उक्त अप्यार्थियों ने सम्यक मूलता दिए जाने पर भी उक्त प्रसफलता के लिए या तो कोई कारण अपेक्षा स्पष्टीकरण नहीं दिया है या उनके द्वारा दिए गए अप्यार्थियों पर, यदि कोई हों, विचार करने के पश्चात निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त प्रसफलता के लिए कोई प्रधारण या अप्यार्थिय नहीं है।

प्रधारण इव, निर्वाचन आयोग उक्त प्रधिनियम की धारा १०-क के अनुसरमें नीचे की सारणी के स्तम्भ (५) में विनिर्दिष्ट अवक्षियों को संसद के या किसी राज्य/संघ राज्य के विधान सभा अपेक्षा विधान परिषत के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से हीन बर्व की कालावधि के लिए निरहित घोषित करता है।

सारणी

क्र. सं.	निर्वाचन का विवरण	निर्वाचन-सेत्र की कम.सं. और नाम	निर्वाचन सभाने वाले अप्यार्थी का नाम व पता	निरहित का कारण
१	२	३	४	५
१.	राजस्थान विधान सभा का १२०-उप- (ध.आ.) साधारण निर्वाचन, १९८५	श्री राम माल, तामोश्वर उपनील, तहसील गंगाधर, जिला भालाचाहा	विधि द्वारा प्रयोगित समय के अन्दर भी रीति से लेखा दाखिल करने में प्रसफल रहे।	

1	2	3	4	5
2.	राजस्थान विधान सभा का माध्यराण निवाचन, 1985	80—करोली	श्री राम स्वरूप, सड़ी माझी, करोली, जिला सवाई माधोपुर, राजस्थान।	निर्वाचन व्ययों का कोई भी लेखा शाखिल करते में असफल रहे।
3.	—वही—	—वही—	श्री समिला, बड़ीरपुर दरवाजा, करोली, जिला सवाई माधोपुर, राजस्थान।	—वही—
4.	—वही—	167—सिरोही	श्री कपूरा राम, गांव बरलीट, सहसील सिरोही, जिला सिरोही, राजस्थान।	—वही—
5.	—वही—	—वही—	श्री घबानी सिंह, पिलारी (एम), तहसील—शीगंज, जिला सिरोही, राजस्थान।	विधि द्वारा अपेक्षित रौति से लेखा वाखिल करते में असफल रहे।
6.	—वही—	175—सिवाना (ग्र. जा.)	श्री जगमाल, गांव अमसीन, पोस्ट मोंगरा, जिला बाड़मेर, राजस्थान।	निर्वाचन व्ययों का कोई भी लेखा शाखिल करने में असफल रहे।
7.	—वही—	—वही—	श्री बारा राम, जाटिया का बास, सामावारी, जिला बाड़मेर, राजस्थान।	—वही—
8.	—वही—	60—तिजारा	श्री गोरी लाल, कायस्थ बाड़ी, तिजारा, जिला अलवर, राजस्थान।	—वही—
9.	—वही—	62—रामगढ़	श्री कुमारी खान, गांव भैसदावत, डाकखाना सोमना बूर्ज, उप-तहसील गोविन्दगढ़, जिला अलवर, राजस्थान।	—वही—
10.	—वही—	63—पालदर	श्री हरजीत सिंह, 265, लाजपत नगर, अलवर, राजस्थान।	—वही—
11.	—वही—	64—पानगांजी	श्री राम पाल, गांव व डाकखाना नंगल बाणी, सहसील यानगांजी, जिला अलवर, राजस्थान।	—वही—
12.	—वही—	66—लछमसगढ़	श्री मुम्ही, गांव बरोडा, डाकखाना इन्डडा, जिला भरतपुर, राजस्थान।	—वही—
13.	—वही—	—वही—	श्री मोहन लाल मीना, गांव और डाकखाना लछमसगढ़, जिला अलवर, राजस्थान।	—वही—
14.	—वही—	67—कठुमर (ग्र. जा.)	श्री भवाई, सुभुत्र प्रमाती, गांव भरीथल, डाकखाना मसारी, जिला अलवर, राजस्थान।	—वही—
15.	—वही—	162—यारवी	श्री बलपत्र सिंह, गांव पदमपुरा, डाकखाना डालोप, सहसील देवती, जिला पाली, राजस्थान।	—वही—
16.	—वही—	194—झीड़वाना	श्री साविक, गांव और डाकखाना भलिया, तहसील हीड़वाना, जिला नागौर, राजस्थान।	अपेक्षित रौति से लेखा वाखिल करने असफल रहे।

ELECTION COMMISSION OF INDIA

ORDER

New Delhi, the 7th April, 1986

O.N. 83.—Whereas the Election Commission is satisfied that each of the contesting candidates specified in column (4) of the Table below at the election to the Rajasthan Legislative Assembly as specified in column (2) and held from the constituency specified in column (3) against his name has failed to lodge an account of his election expenses or failed to lodge the account within the time and/or in the manner, as shown in column (5) of the said Table as re-

quired by the Representation of the People Act, 1951 and the rules made thereunder;

And whereas the said candidates have either not furnished any reason or explanation for the said failure even after due notice of the Election Commission, after considering the representation made by them, if any, is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the persons specified in column (4) of the Table below to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State/Union Territory for a period of 3 years from the date of this Order :

S. No.	Particulars of Election	Sr. No. and name of constituency	Name and address of the candidate	Reason for disqualification
1	2	3	4	5
1.	General Election to Rajasthan Legislative Assembly, 1985.	120—Dag	Shri Ram Lal, Nagishwar Ukhla, Tehsil Gangalgarh, Distt : Jhalawar.	Failed to lodg. the account within time and in the manner required by law.
2.	—do—	89—Katrauli	Shri Ram Swaroop, Sabzi Mandi, Katrauli, Distt : Sawai Madhopur (Raj.).	Failed to lodge any account of election expenses.
3.	—do—	—do—	Shri Girinatha, Wazirpur Darwaza, Katrauli, Distt. Sawai Madhopur (Raj.).	—do—
4.	—do—	167—Sirohi	Shri Kapoor Ram, Village Barlet, Tehsil Sirohi, Distt. Sirohi (Raj.).	—do—
5.	—do—	—do—	Shri Bhawani Singh, Pilari (M), Tehsil Shergarh, Distt. Sirohi (Raj.).	Failed to lodge the account in the manner required by law.
6.	—do—	175—Siwana	Shri Jagmal, Vill. Baween, Post Mongra, Distt: Barnear (Raj.).	Failed to lodge any account of election expenses.
7.	—do—	—do—	Shri Dhaya Ram, Jatiya Ka Bas, Samadari, Distt : Barnear.	—do—
8.	—do—	51—Tijara	Shri Gurji Lal, Kayasthwadi, Tijara, Distt : Alwar (Raj.).	—do—
9.	—do—	62—Ranighat	Shri Patti Khan, Vill : Bhainsdiwati, P.O. Banj Khurd, Sub-Tehsil Govindgarh, Distt : Alwar (Raj.).	Failed to lodg. any account of el ction expenses.
10.	—do—	63—Alwar	Shri H. Raj Singh, 265, Lajpat Nagar, Alwar (Raj.).	—do—
11.	—do—	64—Thanagazi	Shri Ram Pal, VPO Nangal Beni, Tehsil Thanagazi, Distt : Alwar.	—do—
12.	—do—	66—Laohhmangarh	Shri Munshi, Vill : Arode, P.O. Hantia, Distt : Bharatpur.	—do—
13.	—do—	—do—	Shri Mohan Lal Meena, V&P.O. Laohhmangarh, Distt. Alwar (Raj.).	—do—
14.	—do—	67—Kathumar (SC)	Shri Bhudai, S/o. Prabhati, Vill. Bhacithal, P.O. Maseri, Distt . Alwar (Raj.).	—do—
15.	—do—	162—Karchi	Shri D. D. Singh, Vill : Padampura, P.O. Dhalop, Tehsil Desuri, Distt : Pali (Raj.).	—do—
16.	—do—	191—Doddwana	Shri Sadiq, V&P.O. Balia, Tehsil Doddwana, Distt : Nagaur (Raj.).	Failed to lodge the account in the manner required.

या. या. 84 निर्वाचन आयोग का समाधान ही यहा है कि नीचे की सारणी के स्तम्भ (2) में यथा विनिश्चित लोक सभा निर्वाचन के लिए जो स्तम्भ (3) में विनिश्चित निर्वाचन-सेवा से हुआ है, स्तम्भ (4) में उसके सामने विनिश्चित निर्वाचन सँझे बाता प्रत्येक घटनापि, और प्रतिनिधित्व प्रधिनियम, 1951 द्या तदोन बनाए गए नियमों द्वारा प्रवेशित उक्त सारणी के स्तम्भ (5) में यथा उपर्युक्त अपने निर्वाचन घटनों का कोई भी लेखा वाचिल करने में असफल रहा है;

और उक्त घटनायितों ने सम्यक सुनना दिए जाने पर भी उक्त अवकलता के लिए या तो कोई कारण प्रथमा स्पष्ट नहीं दिया है या उनके द्वारा दिए गए अस्थानेवनों पर, यदि कोई हो, विचार करने के पश्चात निर्वाचन आयोग का यह समाधान ही मया है कि उनके पास उक्त अवकलता के लिए कोई पर्याप्त कारण या स्पोषित नहीं है;

अतः अब, निर्वाचन आयोग उक्त अधिनियम की द्वारा 10--क के भनुसरण में नीचे को सारणी के स्तम्भ (4) में विनिश्चित घटनायितों को संबंध के किसी भी सदन के या किसी राष्ट्र की विधान सभा प्रथमा विधान परिषद के सदस्य चुने जाने और होने के लिए इस भारत की सार्वत्र से तीन वर्ष भी कालावधि के लिए मिरहित घोषित करता है।

सारणी

स्तम्भ सं.	निर्वाचन का विवरण	संघर्षोप निर्वाचन क्षेत्र की क्र.सं. और नाम	निर्वाचन लड़ने वाले अधिकारी का नाम व पता	निरहित का कारण
1	2	3	4	5
1.	लोकसभा का साधारण निर्वाचन, 1984 (महाराष्ट्र राज्य)	4-बम्हई दक्षिण	श्री बलदेव भिस्तर गिल, 110-स्पलनेड मेंशन, फला घोड़ा, कम्हई-400023.	विधि द्वारा अपेक्षित समय के अंदर और राति से निर्वाचन घटनों का लेखा वाचिल करने में असफल रहे।
2.	-वही-	6-बम्हई (उत्तर-भार्य)	श्री मुहम्मद बिहरी सिंह बीत सिंह उद्धाम, दिल्ली नं. 8-ए, नं. 357, कीर्तिवाला कामोली, गुरु तेग बहादुर नगर, कम्हई-400037.	वही
3.	-वही-	7-बम्हई (उत्तर-पूर्व)	श्री मलिक नवाब, 21-वी, नूर बिल,	विधि द्वारा अपेक्षित रीति से निर्वाचन घटनों का लेखा वाचिल करने में असफल रहे।
4.	-वही-	12-मालिक	ए-34, सलि बहादुर कास्ती मार्ग, कुरुक्षेत्र (परिवास) कम्हई-400070. श्री बुशार भासुजो प्रवहद, जावेर भवन, ब्लॉक नं.-८, मालिक रोड (महाराष्ट्र)	निर्वाचन घटनों का कोई भी लेखा वाचिल करने में असफल रहे।
5.	लोकसभा का साधारण निर्वाचन, 1984 (महाराष्ट्र राज्य)	13-मालेगांव (म.ज.आ.)	श्री सोनबन रायसा बैमल, स्थान, काशत, पांसु बडेल, तालुक मालेगांव, जिला नालिक (महाराष्ट्र)	निर्वाचन घटनों का कोई भी लेखा वाचिल करने में असफल रहे।
6.	-वही-	42-पूर्व	श्री कल्पेचिया कुल्लुमार, मोरीलाल मन्दि, बास नं. 29, कम्हई नं. 223, गोटीवाड, कम्हई-90	वही-

[पं. 76/ वहा./६५/सौ. अ.]

ORDER

O.N. 84.—Whereas the Election Commission is satisfied that each of the contesting candidates specified in column (4) of the Table below at the election to the House of the People as specified in column (1) and held from the constituency specified in column (3) against his name, has failed to lodge an account of his election expenses as shown in column (5) of the said Table as required by the Representation of the people Act, 1951 and the Rules made thereunder;

And, whereas, the said candidates have either not furnished any reason or explanation for the said failure even after due notice of the Election Commission, after considering the representations made by them, if any, is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the powers specified in column (4) of the Table below to be disqualified for being chosen as, and for being, a member of either House of

the Parliament or of the Legislative Assembly or Legislative Council of a State for a period of 3 years from the date of this order.

TABLE

Sl. No.	Particulars of election	Sl. No. & name of the parliamentary consti- tuency	Name & address of the contesting candidate	Reason for disqualification
1	2	3	4	5
1.	General Election to the House of the People, 1984 (Maharashtra State)	4-Bombay South.	Shri Baldev Mitter Gill, 110, Esplanade Mansion, Kala Ghoda, Bombay-400023.	Failed to lodge account of election expenses within the time & in the manner required by law.
2.	—do—	6-Bombay (North-Central)	Shri Sukhdev Singh Jit Singh, Udhana Building No. 8A, No. 357, Koliwada Colony, Guru Teg Bahadur Nagar, Bombay-400037.	—do—
3.	—do—	7-Bombay (North-East)	Shri Malik Nawab, 21-B, Noor Manzil, A-34, Lal Bahadur Shastri Marg, Kurla (West) by law. Bombay-400070	Failed to lodge account of election expenses in the manner required by law.
4.	—do—	12-Nashik	Shri Zunjari Mahsuji Avahad, Javor Bhavan, Block No. 9, Nashik Road (Maharashtra).	Failed to lodge any account of election expenses.
5.	—do—	13-Malegaon (ST)	Shri Sonawane Rawala Jaimal, At Kasht, post Vadeli, Tq. Malegaon, District Nashik (Maharashtra)	—do—
6.	—do—	42-Pune	Shri Kanoujiya Krishnakumar, Motilal Nagar, Chawl No. 29, R.No. 223, Goregaon, Bombay-90.	—do—

[No. 76/MT/ 85 (HP)]

धारेण

धा.प्र. 85.—निर्विचित धारोग का समाधान हो गया है कि नीचे की सारणी के सम्म(2) में पथा विनिर्दिष्ट विधान सभा के निर्विचित के लिए जो सम्म(3) में विनिर्दिष्ट निर्विचित शब्द से हुआ है, सम्म(4) में उनसे साफते विनिर्दिष्ट निर्विचित सहने वाला प्रतिक्रिया, भौत प्रतिनिधित्व अधिनियम, 1951 तथा सही बाताए गए नियमों द्वारा अधिवित उन सारणी के सम्म (5) में पथा उपर्युक्त प्रमाणे निर्विचित व्यवों का कोई भी सेवा शावित करते में ग्राहक रहा है।

और उक्त प्रभावियों ने सम्पर्क सूचना दिए जाने पर भी उक्त प्रसफलता के लिए या तो कोई कारण अथवा सम्बोधण नहीं दिया है या उनके द्वारा दिए गए प्रभावितों पर, यदि कोई ही विचार करने के पश्चात् निर्विचित धारोग का यह समाधान हो गया है कि उनके बास उक्त प्राकृतिक के लिए कोई पर्याप्त कारण या व्यायोचित नहीं है;

अतः प्रब. निर्विचित धारोग उन अधिनियम की धारा 10-के प्रत्युत्तर में नीचे की सारणी के सम्म(4) में विनिर्दिष्ट व्यक्तियों को संभव के किसी भी सदृश के या किसी गठय की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और हांसे के लिए इस धारोग की तारीख में तीन वर्ष की कालाबधि के लिए निरहित घोषित करता है।

सारणी

क्र.सं. निर्विचित का विवरण	विधान सभा निर्विचित-लेवी की क्र. सं. और नाम	निर्विचित सहने वाले धारावाली का नाम व पता	निरहित का कारण	
1	2	3	4	5
1. विधान सभा का साधारण निर्विचित 1985 (गुजरात राज्य)	62-मास्त	श्री काला फते सिंह जी चम्पत मिही, शाकरा धानचो शावणी के सामने ई-34 घस्याल, बोवरा गांव, घासदाबाद-380 068 (गुजरात)	निर्विचित व्यवों का कोई भी सेवा शावित करने में ग्रसकत रहे।	
2. —वही—	—वही—	श्री पटेल प्रदीप पाई गोरेनाई, गोमगाम धारा, त्यान सोलगाम, तालुक विगमगाम, निला महमदाबाद (गुजरात)	—वही—	

1	2	3	4	5
3.	विधान सभा का सांसदण्ड निर्वाचन, 1985 (गुजरात राज्य)	66—देहगांव	श्री नटजर भाई गुलामार्ह पटेल, दाकघर चिरकानी, तालुक देहगांव, जिला अहमदाबाद (गुजरात) श्री पटेल नटबरभाई पाणाशाही, दाकघर चिरकानी, तालुक देहगांव, जिला अहमदाबाद (गुजरात) का. इन्द्रेन सिंह, 3, गूरुत प्रकाश पाठौ हाउसिंग सोसाइटी, इण्डियन फ्रायल रोड, थी, केशिन, सावरमती, अहमदाबाद-380 019 (गुजरात)	निर्वाचन धर्यों का कोई भी लेखा शाश्वत करने में असफल रहे।
4.	—वही—	—वही—		—वही—
5.	—वही—	67—सावरमती		—वही—
6.	—वही—	—वही—	श्री दाबी जसवल सिंह अमर मिन्हा, 2488/5, नानासाटवाडा शाहुरुर, अहमदाबाद-380 019 (गुजरात) श्री पटेल बाबूभाई सोमनाथ, 12/ए/11, केतन सोसाइटी सरदार पटेल कालोनी के पास अहमदाबाद-4 (गुजरात)	—वही—
7.	—वही—	—वही—		—वही—
8.	—वही—	—वही—	श्री पांडे शिवगंकर घर्षेश, बेलजीपाई कल्याणउड, धसकापुरी मोतेरा रोड, सावरमती, अहमदाबाद-5 (गुजरात)	—वही—
9.	—वही—	—वही—	श्री भारत बोरा, 4/ए, योगेश्वर सोसाइटी, पंचांग टेकरा, नवा बादज, अहमदाबाद-380 013 (गुजरात)	—वही—
10.	—वही—	—वही—	श्री रमेशभाई पंजासाही माहुर्या, 22, गांधीनगर सोसाइटी, जून बादज, अहमदाबाद-13 (गुजरात)	—वही—
11.	—वही—	68—तरियापुरा	श्री परमार वंजालाल वेणाशम पाई, 51, वि रोहिवास नगर सोसाइटी, चमनपुरा, प्रसर्वा, अहमदाबाद (गुजरात)	—वही—
12.	—वही—	—वही—	श्री कालीलाल सेन्वासाही पटेल, घनेजिहनि चाली, एस-६, मुजाजा फैलैट ग्राहिंग, अहमदाबाद (गुजरात)	—वही—
13.	—वही—	72—यसखा	श्री कालीलाल नायासाही पटेल, कमरा सं. ३६५, यानन्दी कल्याणजो का बाल सं. १, परविल मिल्स, नरोदा रोड के सामने अहमदाबाद-25 (गुजरात)	—वही—
14.	—वही—	—वही—	श्री कीरिमाई वन्दुसाल पटेल (विनेश भाई) 7, यतो सोसाइटी, जाईबाग, अहमदाबाद-4 (गुजरात)	—वही—
15.	—वही—	—वही—	श्री शौहाम ओरावर सिंह, 22, मानेकनाथनगर नायनी सोसाइटी के पास नरोदा रोड, सेजपुर बोया, अहमदाबाद (गुजरात)	—वही—
16.	—वही—	—वही—	श्री राजेन्द्र एन. मेहता, झाक नं. ५, कमरा सं. २०, मुर्मी बनाटर्स, फायर ब्रिगेड के पीछे नारोदा, अहमदाबाद-25 (गुजरात)	—वही—

1	2	3	4	5
17.	किंगड़न सोला का साधारण निवासिन, 1985 (गुजरात राज्य)	72-शमदा	श्री हरियान चालाजी भाई सोहागाई, १७/३४, श्री नरामरण सोसाइटी, पुणे एम.एस.ए. ब्लॉक भैंके पास, चमनपुरा धरमखाड़ा, अहमदाबाद-१૬ (ગुजरात)	निवासिन व्यक्ति का कोई भी ऐसा वालिन करने में असफल रहे।
18.	—सही—	73-रवियाल	श्री जाहव प्रभुयाम मुलजीभाई, दाढ़ेवन, तालुक ओरमाण, जिला खेड़ा (गुजरात)	—सही—
19.	—सही—	74-जेरकोटदा (ग्र. आ.)	श्री कामीदाम गोपेश्वार्ह यादव, १७६२/१४, औबराम झट, चान, राजपुर, ग्रहमदाबाद-३८००२१ (गुजरात)	—सही—
20.	—सही—	77-मनीलगढ़	श्रीमकवान मानासाई लिकमधाई, गुजरात हाऊरिंग बोर्ड ब्लॉक नं. १९, क. नं. १५०, श्रीधरा नेहरोंशावाद, रोहित मिल के पास, ग्रहमदाबाद-८, (गुजरात)	—सही—
21.	—सही—	—सही—	शास्त्री उच्चावेष किरण, मारोली शूगर फैक्ट्री, नारोल, जिला बलसाड (गुजरात)	—सही—
22.	—सही—	—सही—	श्री सूर्यनंद भगवान्दास भीमराज, बोरिंग मलाती चाली, मनीमगर स्टेनेज के पीछे ग्रहमदाबाद (गुजरात)	—सही—
23.	—सही—	78-मारोया	श्री शमिल्यामी भगवन तोपानवाल श्री. श्री. जे.एस. १६८, गांधीनगर-२७० २०१ (गुजरात)	—सही—

[Ex. 76/गुज./85/(1-23) (वि. स.)]

ORDER

O.N. 85:—Whereas the Election Commission is satisfied that each of the contesting candidates specified in column (4) of the Table below at the election to the Legislative Assembly as specified in column (2) and held from the constituency specified in column (3) against his name has failed to lodge an account of his election expenses as shown in column (5) of the said Table as required by the Representation of the People Act, 1951 and the Rules made thereunder;

And, whereas, the said candidates have either not furnished any reason or explanation for the said failure even after due notice or the Election Commission, after considering the representations made by them, if any, is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the persons specified in column (4) of the Table below to be disqualified for being chosen as, and for being, a member of either House of the Parliament or of the Legislative Assembly or of the Legislative Council of a State for a period of 3 years from the date of this order.

TABLE

S.No.	Particulars of election	Sl. No. & Name of the Assembly constituency	Name and address of the contesting candidate	Reason for disqualification
1	2	3	4	5
1.	General Election to the Legislative Assembly, 1985 (Gujarata State)	67-Mandal	Shri Jhala Fatusinhji Chandansinhji, Shakra Gahanchi's Chawali Opp. D-34, Hospital, Khokhara Village, Ahmedabad-380 008 (Gujarat)	Failed to lodge any account of election expenses.
2.	-do-	-do-	Shri Patel Pravinbhai Gordhanbhai Sholgamwala, At Solgam, Tq. Viramgaon, District Ahmedabad (Gujarat).	-do-

1	2	3	4	5
3.	General Election to the Legislative Assembly, 1985 (Gujarat State)	66—Dehgaon	Shri Natwarbhai Candabhai Patel, Post Chirkari, Tq. Dehgaon, District Ahmedabad (Gujarat)	Failed to lodge any account of election expenses.
4.	-do-	-do-	Shri Patel Natwarbhai Pashabhai, Post Chandrala, Tq. Dehgaon, District Ahmedabad (Gujarat).	-do-
5.	-do-	67—Sabarmati	Dr. Indrasinh, 3, Nuten Prakash Park Housing Society, Indian Oil Road, D. Cabin, Sabarmati, Ahmedabad-380019 (Gujarat)	-do-
6.	-do-	-do-	Shri Dabi Jaywantsinh Amarsinh, 2488/5, Nana Bhatwada Shahpur, Ahmedabad (Gujarat).	-do-
7.	-do-	-do-	Shri Patel Babubhai Somnath, 12/A/11, Ketan Society Near Sardar Patel Colony, Ahmedabad-4 (Gujarat).	-do-
8.	-do-	67—Sabarmati	Shri Pandit Shivshankar Dharamraj, Veljibhai Compound Alkapuri, Motera Road, Sabarmati, Ahmedabad-5 (Gujarat)	-do-
9.	-do-	-do-	Shri Bharat Vora, 4/A, Yogeshwar Society, Panchal Tekera, Nava Vadaj, Ahmedabad-380013 (Gujarat)	-do-
10.	-do-	-do-	Shri Rameshbhai Punjabhai Makusua, 22, Gandhinagar Society, Junc Vadaj, Ahmedabad-13 (Gujarat)	-do-
11.	-do-	69—Daraipur	Shri Parmar Punjalal Veshrambhai, 51, the Rohidas Nagar Society, Chamanpura Asarwa, Ahmedabad (Gujarat).	-do-
12.	-do-	-do-	Shri Kantilal Sendhabhai Patel, Chanchini Chali, L-8, Sujata Flats Sahibaug, Ahmedabad (Gujarat).	-do-
13.	-do-	72—Asarva	Shri Kalidas Nathabhai Dhanek, Room No. 265, Anandji Kalyanjil's Chawl, No.1, Opp. Arvind Mills, Naroda Road, Ahmedabad-25 (Gujarat)	-do-
14.	-do-	-do-	Shri Kirtibhai Chandulal Patel, (Dineshbhai), 7, Varsha Society, Sahibaug, Ahmedabad-4 (Gujarat)	-do-
15.	-do-	-do-	Shri Chauhan Joravarsinh Jawansinh, 22, Maneknathnagar Beside Gayatri Society, Naroda Road, Saijpur Bogha, Ahmedabad (Gujarat)	-do-
16.	-do-	-do-	Shri Rajendra N. Mehta, Block No. 5, Room No. 70, Muni Quarters, Behind Fire Brigade, Naroda Ahmedabad-25 (Gujarat).	-do-

1	2	3	4	5
17.	General Election to the Legislative Assembly, 1985 (Gujarat State)	72—Asrava	Shri Hadiyal Bhalajibhai Mohanbhai, 17/34, New Narannagar Society, Beside Old M.L.A. Quarters, Chamanpura Asarva, Ahmedabad-16 (Gujarat)	Failed to lodge any account of election expenses.
18.	-do-	73—Rakhial	Shri Jadav Prabhudas Muljibhai, Dahevan, Tq. Borsad, District Kheda (Gujarat)	-do-
19.	-do-	74—Shahor Kotda (SC)	Shri Kalidas Ganeshbhai Yadav, 1762/14, Jivram Bhatt, Chawl, Rajpur, Ahmedabad-380021 (Gujarat)	-do-
20.	-do-	77—Maninagar	Shri Makwana Manabhai Trikambhai, Gujarat Housing Board, Block No. 19, R.No. 150, Khokhra Mehmmedabad near Rohit Mill, Ahmedabad-8 (Gujarat)	-do-
21.	-do-	-do-	Shashtri Ushaben Kiran, Maroli Sugar Factory, Narol, District Valsad (Gujarat)	-do-
22.	-do-	-do-	Shri Suryavanshi Bhagwandas Bhimrao, Boring Valani Chali, Behind Maninagar Station, Ahmedabad (Gujarat)	-do-
23.	-do-	78—Naroda	Shri Abhichandani Bhagwan Topandas, D.B.E.N. 168, Gandhidham-370201 (Gujarat)	-do-

[No. 76/GJ/85/(1-23) (LA)]

आदेश

मई दिवसी, 28 अप्रैल, 1986

पा. आ. 86.—निवाचित भाग्योग का समाधान हो गया है कि नीचे की सारणी के स्तम्भ (2) में यथा विनिविष्ट विधान सभा के निवाचित के लिए जो स्तम्भ (3) में विनिविष्ट निवाचित-सेतु से हुआ है, स्तम्भ (4) में उसके सामने विनिविष्ट निवाचित लड़ने वाला प्रत्येक प्रभ्यर्थी, तीक प्रतिनिधित्व प्रधानियम, 1951 सभा अधीन बनाए गए नियमों द्वारा प्रतिवित उक्त सारणी के स्तम्भ (5) में यथा उपर्युक्त भाग्यों का लेखा वाचिल करने में फल रहा है;

और उक्त प्रभ्यर्थियों ने सम्यक सूचना दिए जाने पर भी उक्त भ्रसफलता के लिए या तो कोई कारण यथा स्पष्टीकरण नहीं दिया है या उसके द्वारा दिए गए प्रमाणेभूतों पर, यदि कोई हो, विचार करने के प्रबन्ध निवाचित भाग्योग का यह समाधान हो गया है कि उनके पास उक्त भ्रसफलता के लिए कोई पर्याप्त कारण या घ्यावेचित नहीं है;

अतः अब, निवाचित भाग्योग उक्त घ्रधिनियम की धारा 10-क के अनुसरण में नीचे की सारणी के स्तम्भ (4) में विनिविष्ट घ्यक्तियों को संसद के किसी भी सदन के या किसी राज्य की विधान सभा प्रथम विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालाबधि के लिए निर्विहित घोषित करता है।

सारणी

क्र सं.	निवाचित का विवरण	विधान सभा निवाचित भेजने की निवाचित लड़ने वाले प्रभ्यर्थी क्रम सं. और नाम	निवाचित का नाम व पता	निर्वाचित का कारण
1	2	3	4	5
1.	महाराष्ट्र विधान सभा का साधारण निवाचित, 1985	23-अप्रैल 1985	श्री बलीराम डो, यादव, शिवपुरी हिल नं.-2, नारायण नगर, बाटकोपर (महाराष्ट्र)	विधि द्वारा प्रतिवित रीति से निवाचित घ्यर्थियों का लेखा वाचिल करने में फल

1	2	3	4	5
2.	महाराष्ट्र विधान सभा का सावरण निर्वाचन, 1985	34—माहिम	श्री हनुमंथ मरियप्पा चालवाडी, 159, मित्रानन्द नगर डॉक्टर अम्बेडकर रोड, बम्बई—400019	विधि द्वारा भवेत्ति सभय के प्रधार और रीति से निर्वाचन व्यवों का लेखा वाचिल करने में असफल रहे।
3.	—वही—	48—नेहरू नगर	प्रास्टर सत्यानाथयग्न, राहुल नगर (समीप इच्छिनगर) म.न. 244, बेंगुरु रोड, बूतम्हटी, सिवील, बम्बई—400022	—वही—
4.	—वही—	105—सिवायड राजा	श्री जावार्डों गंगाधर नानोराज, पीस्ट सदाना, तालुक विरवाळी, जिला बुलडाना (महाराष्ट्र)	निर्वाचन व्यवों का कोई भी लेखा वाचिल करने में असफल रहे।
5.	—वही—	141—रामटेक	श्री सैयद कमल पाशा, निवासी अनोरा, पीस्ट द्विवाड़ा, बाया काम्हन पिपरी, तहसील रामटेक (महाराष्ट्र)	—वही—
6.	—वही—	153—सिरोंवा (प्र.ज.जा.)	माधवी ओगा नारौया, मनोपल्ली, पीस्ट नानोपल्ली, तहसील पहरी, जिला शोभारोली (महाराष्ट्र)	विधि द्वारा भवेत्ति सभय के प्रधार और रीति से निर्वाचन व्यवों का लेखा वाचिल करने में असफल रहे।
7.	—वही—	231—पठारडी	श्री भारत मोतीराम परवेशी, एट एण्ड पीस्ट पठारडी तालुक पठारडी, जिला अंधमदगर (महाराष्ट्र)	निर्वाचन व्यवों का कोई भी लेखा वाचिल करने में असफल रहे।
8.	वही—	240—जुम्ला	श्री बबन तुकाराम नेहर, एट एण्ड पीस्ट आगे, तालुक जुम्ला (महाराष्ट्र)	—वही—
9.	—वही—	258—फाल्टन	श्री सरक राजमणी घर्णा, भीरांग, पीस्ट बापर (एन), तालुक फाल्टन, (महाराष्ट्र)	—वही—

[स. 76 /महा. /85 वि. स.]

प्रावेश से,
चलवान्त तिह, घर तकिय

ORDER

O.N. 86—Whereas the Election Commission is satisfied that each of the contesting candidates specified in column (4) of the Table below at the election to the Legislative Assembly as specified in column (2) and held from the constituency specified in column (3) against his name has failed to lodge an account of his election expenses as shown in column (5) of the said Table as required by the Representation of the people Act, 1951 and the Rules made thereunder;

And, whereas, the said candidates have either not furnished any reason or explanation for the said failure even after due notice or the Election Commission, after considering the representations made by them, if any, is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election commission hereby declare the persons specified in column (4) of the Table below to be disqualified for being chosen as, and for being, a member of either House of the parliament or of the Legislative Assembly or Legislative Council of a State for a period of 3 years from the date of this order.

TABLE

Sl. No.	Particulars of election	Sl. No. & name of the assembly constituency	Name & address of the contesting candidate	Reason for disqualification
1	2	3	4	5
1.	General Election to the Maharashtra Legislative Assembly, 1985	23- Opera House	Shri Baliram D. Yadav, Shivpuri Hill No. 2, Narayan Nagar, Nari Seva Sadan Road, Ghatkoper (Maharashtra).	Failed to lodge account of election expenses in the manner required by law.
2.	—do—	34—Mahim	Shri Hasumanth Mariaappa, Chalwadi, 159, Nityanand Nagar, Dr. Ambedkar Road, Bombay-400019.	Failed to lodge account of election expenses within the time and in the manner required by law.
3.	—do—	48—Nehru Nagar	Master Satyanarayana, Rahul Nagar, (near Evhard Nagar), House No. 244, Chembur Road, Chunabhatti, Sion, Bombay-400022.	—do—
4.	—do—	105-Sindkhed Raja	Shri Jadhao Gangadhar Nagorao, At post Swana, Taluka Chikhali, District Buldana, (Maharashtra).	Failed to lodge any account of election expenses.
5.	—do—	141-Ramtak	Shri Sayed Kamal Pasha, R/o Khanora, post Hivara, via Kanhan Pipri, Tahsil Ramtek (Maharashtra).	—do—
6.	—do—	153- Shironcha (ST)	Madhavi Joga Nanayya, At Nagepalli Post Nagepalli, Tahsil Aheri, District Cadchiroli, (Maharashtra).	Failed to lodge account of election expenses within the time and in the manner required by law.
7.	—do—	231- Pathardi	Shri Bharat Motiram Pardeshi, At & post Pathardi, Taluka Pathardi District Ahmednagar (Maharashtra).	Failed to lodge any account of election expenses.
8.	—do—	240- Junnar	Shri Baban Tukaram Nehar, At & post Alc, Taluka Junnar, (Maharashtra)	—do—
9.	—do—	258-Phaltan	Smti Sarak Rakhamaji Anna, Mirgaon, Post Wathar (N), Taluka Phaltan, (Maharashtra).	—do—

आदेश

मई विला, 7 अप्रैल, 1986

आ. भ. 87 :—निर्बाचिन आयोग का समाधान हो गया है कि नीचे की सारणी के स्तरम् (2) में यथा विनिर्दिष्ट विहार राज्य से विद्यान सभा के संघरण निर्बाचिन के लिए जो स्तरम् (3) में विनिर्दिष्ट निर्बाचिन क्षेत्र से हुआ है, स्तरम् (4) में उसके सामने विनिर्दिष्ट निर्बाचिन लड़ने वाला प्रत्येक अधिकारी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदीन बनाए गए नियमों द्वारा अपेक्षित उक्त सारणी के स्तरम् (5) में यथा उपदर्शित रूप में अपने निर्बाचिन उम्मीद लेखा समय के अन्तर्गत और/अथवा अपेक्षित रीति से वाचित करते में असफल रहा है।

और उन्होंने अधिकारी ने सम्यक सूचना दिए जाने पर भी उक्त असफलता के लिए यह तो कोई कारण अथवा स्पष्टीकरण नहीं दिया है या उनके द्वारा इस अधिकारी द्वारा लिए गए अधिकारी द्वारा विद्यान सभा अधिकारी को विद्यान सभा समाधान हो गया है कि उनके पास उक्त असफलता के लिए कोई पर्याप्त कारण या आयोजित नहीं है।

अतः प्रश्न अधिकारी आयोग उक्त अधिनियम की द्वारा 10-के अनुसरण में नीचे की सारणी के स्तरम् (4) में विनिर्दिष्ट अधिकारी को संसद के किसी भी सदन के या किसी राज्य/संघ राज्य धोत की विद्यान सभा अधिकारी विद्यान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालाखणि के लिए निरहित घोषित करती है।

सारणी

क्रम	निर्बाचिन का विवरण	विद्यान सभा निर्बाचिन क्षेत्र की क्रम संख्या	निर्बाचिन लड़ने वाले अधिकारी का नाम और पदा	निरहित का कारण
संख्या		प्राप्त नाम		
1	2	3	4	5
1.	विहार विद्यान सभा के लिए साधारण निर्बाचिन, 1985	1-घटका	श्री धनय सिंह प्राम-पो, रंगललही परिषद अधिकारी विहार	निर्बाचिन व्यवों का कोई द्वीप सेवा वाचित नहीं किया है
2.	वही	78-मधुबनी	श्री रामचंद्र पासदान प्राम-पो, हासा जिला समस्तीपुर (विहार)	वही
3.	वही	94-बातिचंगर	श्री विनोद कुमार जाठ हाटा-जा, मंगल जा, प्राम-पो, सोनुपुर जिला समस्तीपुर (विहार)	वही
4.	वही	100-रासेडा	श्री रामचंद्र यादव, प्राम सालीपुर, वो. कमरकाला, जला बरेष्या, विहार	वही
5.	वही	वही	श्री रामचंद्र यादव प्राम-पो, बंधार जिला समस्तीपुर, विहार	वही
6.	वही	वही	श्री रामचंद्र यादव प्राम-पो, बंधार जारेबन जिला समस्तीपुर, विहार	वही
7.	वही	वही	श्री राम स्वार्य सिंह प्राम अजिहा, पो. कारेबन जिला समस्तीपुर, विहार	वही
8.	वही	वही	श्री अकमी ना, सिंह, प्राम जहानीरपुर, टीला सरोल, पो. एरोल जिला समस्तीपुर (विहार)	वही
9.	वही	वही	श्री श्रीकान्त लाल प्राम बुधपुरा पो. मंगल गढ़ जिला समस्तीपुर, विहार।	वही
10.	विहार विद्यान सभा के लिए साधारण निर्बाचिन, 1985	103-बलिया	श्री रामदेव राम या पो. सीलीहाट बलिया, विहार	वही
11.	वही	वही	श्री फुलशंक लाहुनी, प्राम चिरया, पो.-एस, कमल, बेगूसराय, विहार	वही
12.	वही	106-बरीनी	श्री कोशल निकोट श्राम नरेपुर पो. बस्तवाड़ा जिला बेगूसराय, विहार	वही
13.	वही	107-बछावाड़ा	श्री कृष्णलक्ष्म चौधरी प्राम-पो, मालीपुर जिला बेगूसराय, विहार	वही
14.	वही	वही	श्री लिबेनी लिह प्राम पालीदीह पो. बुमचुक, बेगूसराय विहार	वही

1	2	3	4	5
15.	बिहार विद्यान सभा के निः साधारण निर्बचित, 1985	108—चेरिया बरियारपुर	श्री राम लक्ष्मन सहस्री ग्राम थोन्चुर—गहर, पो. श्रीपुर गहर तोला गवारघाट, जिला समस्तीपुर बिहार	निर्वाचित व्ययों का कोई भी लेखा वाक्यिक नहीं किया है
16.	वही	109—बजरी (भ.जा.)	श्री रमेश कुमार बैलेश ग्राम व पो. लालो बेगूसराय (बिहार)	वही
17.	वही	बही	श्री बासवेन आजाद ग्राम-पो. कौरिया, हेलतपुर (बिहार)	वही
18.	वही	153—शिकारीपाड़ा	श्री किसत मदाइजी ग्राम रखारेपुर पो. ग्रदकपुर, जिला तुमका बिहार।	वही
19.	वही	156—सारठ	श्री याशी भूषण राय ग्रा. गोवरा, थाना सं. 20, पो. पहाड़ीरिया जिला इमार (बिहार)	वही
20.	वही	169—चप्पी	श्री अवधि किशोर शर्मा ग्राम बेलहं, थाना चप्पी जिला भालस्था, बिहार	वही
21.	वही	वही	श्री धननजय कुमार ग्राम भालन्दा, बिहार	वही
22.	वही	वही	श्री कैलाश बिहारी सिंह ग्राम भौली विधा, पो. कलडारिया, थाना चंडी, न.लख्या बिहार।	वही
23.	वही	वही	श्री भागीरथ प्रसाद सिंह ग्राम मिल्कीपुर पो. माघोपुर, थाना चंडी, न.लख्या बिहार।	वही
24.	वही	वही	श्री एमेन्ड्र कुमार सिंह ग्राम कमारलदीनगंज, बिहार शरीफ, नालन्दा बिहार।	वही
25.	वही	242—भरवल	श्री अग्रोहा माथ ग्राम अवीगला पो. सरावन, पी. एस. भरवल जिला गया (बिहार)	वही
26.	वही	वही	श्री रंज बहारपुर सिंह, गुरादपुर कामाजी मोहस्ता पो. बेदशमाल, जिला गया बिहार।	वही
27.	वही	वही	श्री लक्ष्मी सिंह ग्राम कालाकिया पो. बारसी पी. एस. भरवल गया (बिहार)	वही
28.	वही	वही	श्री सखन राम ग्राम लपरा, पो. उसारी पी. एस. भरवल, गया बिहार।	वही

1	2	3	4	5
29.	बिहार विधान सभा के लिए सामारण निर्बाचन 1985	242-धरवल	श्री लालेश्वर सिंह प्राम सरसोत्तमपुर जिला गया (बिहार) श्री यानेश्वर प्रसाद सिंह प्राम खाबेंगी चेला मलका गंज (घोभी भीगा) पो. खाबेंगी, जिला गया बिहार।	विधायक व्यवों का कोई भी सेवा दाखिल नहीं करा है।
30.	वही	वही	श्री यानेश्वर प्रसाद सिंह प्राम खाबेंगी चेला मलका गंज (घोभी भीगा) पो. खाबेंगी, जिला गया बिहार।	वही
31.	वही	251-इमामगंज (प्र.जा.)	श्री रविक्ष नाथ राय प्राम मंझीली, पो. इमामगंज, जिला गया बिहार।	वही
32.	वही	वही	श्री राजेश राम, प्राम अजरिया पत्तालय तिलीया, थाना घासस, जिला गया विहार।	वही
33.	वही	254-बाराढ़ी (प्र.जा.)	श्री देव कुमार प्रसाद प्राम पालाको सखी, पो. गुराब पी. एस. कोंच जिला गया (बिहार)	वही
34.	वही	292-जमलेपुर	श्री जी.एस.आर. मूर्ती ठानू 4/7 आदित्यपुर सिंहमूर, चाँदीचासा (बिहार)	सेवा विधि द्वारा, अपेक्षित रीति में प्रस्तुत नहीं किया है।

[S. 76/विह]

एस. डी. प्रसाद,

ORDER

New Delhi, the 7th April, 1986

O.N. 87.—Whereas the Election Commission is satisfied that each of the contesting candidates specified in column (4) of the Table below at the election to the Bihar Legislative Assembly as specified in column (2) and held from the constituency specified in column (3) against his name has failed to lodge an account of his election expenses or failed to lodge the account within the time and/or in the manner, as shown in column (5) of the said Table as required by the Representation of the People Act, 1951 and the rules made thereunder;

And whereas the said candidates have either not furnished any reason or explanation for the said failure even after due notice or the Election Commission, after considering the representation made by them, if any, is satisfied that they have no good reason or justification for the said failure:

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the persons specified in column (4) of the Table below to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State/Union Territory for a period of 3 years from the date of this Order :

TABLE

S. No.	Particulars of election	S. No. & Name of the Assembly Constituency	Name & Address of the Contesting candidate	Reason for disqualification
1	2	3	4	5
1.	General Election to Bihar Legislative Assembly, 1985.	1—Dhanaha	Shri Aja Singh, Vill. & P.O. Rangalihi, West Champaran, (Bihar).	Failure to lodge an account of election expenses.
2.	—do—	78—Madhubani	Shri Lal Narayan Rawat, Bara Bazar, Ward No. 5, Madhubani (Bihar).	—do—
3.	—do—	94—Warisnagar	Shri Ramchandra Paswan, Vill. & P.O. Hansa, Distt. Samastipur, Bihar.	—do—

1	2	3	4	5
4.	General Election to Bihar Legislative Assembly, 1985.	100—Rosera	Shri Vinod Kumar Jha, Vill. & P.O. Sonupaur, Distt. : Samastipur, Bihar.	Failure to lodge any account of election expenses.
5.	—do—	—do—	Shri Ram Chandra Yadav, Vill. Talipur, P.O. Kamarkala, Dist. Darbhanga, Bihar.	—do—
6.	—do—	—do—	Shri Ram Swarath Singh, Vill. Bandiha, P.O. Kanyan, Distt. Samastipur, Bihar.	—do—
7.	—do—	—do—	Shri Ram Lakhan Yadav, Vill. & P.O. Bandhana, Distt. Samastipur, Bihar.	—do—
8.	—do—	—do—	Shri Laxminarayan Singh, Vill. Jahangirpur, Tola Eyanat, Distt. Samastipur, Bihar.	—do—
9.	—do—	—do—	Shri Shri Kant Lal, Vill. Dudhpura, P.O. Mangalgadh, Distt. Samastipur, Bihar.	—do—
10.	—do—	103—Ballia	Shri Fuleshwar Sahni, Vill. Siraiya, P.O. Kamal, Begusarai (Bihar).	—do—
11.	—do—	—do	Shri Ramdeo Ram, Vill. & P.O. Sonihar, Khagaria (Bihar).	—do—
12.	—do—	106—Barauni	Shri Kaushal Kishore, Vill. Narepur, P.O. Bachhwara, Begusarai (Bihar).	—do—
13.	—do—	107—Bachhwara	Shri Krishna Nandan Chowdhury, Vill. & P.O. Manopur, Begusarai (Bihar).	—do—
14.	—do—	—do—	Shri Triveni Singh, Vill. Palidih, P.O. Churamanchuck, Begusarai (Bihar).	—do—
15.	—do—	108—Cheria Bariarpur	Shri Ram Lakhan Sahni, Vill. Shiripur Gahar, Tola Gudarghat, P.O. Sheripur, Distt. Samastipur, Bihar.	—do—
16.	—do—	109—Bakhri (SC)	Shri Ramesh Kumar, Shailesh, Vill. & P.O. Lakha, Begusarai (Bihar)	—do—
17.	do—	—do—	Shri Basudeo Azad, Vill. & P.O. Kariya, Habalpur, Begusarai, Bihar.	—do—
18.	do—	153—Shikarpura	Shri Kistu Marandi, Vill. Darbarpur, P.O. Gandakpur, Distt. Dumka (Bihar)	—do—
19.	—do—	156—Sarah	Shri Shashi Bhusan Roy, Vill. Gobra, Thana No. 2, P.O. Patajoria, Distt. Dumka (Bihar)	—do—
20.	—do—	199—Chandi	Shri Auadhi Kishore Sharma, Vill. Balchhi, P.O. Chandi Nalanda (Bihar)	—do—
21.	—do—	—do—	Shri Kailash Bihari Singh, Vill. Chigha, P.O. Kachharia, P.S. Chandi Nalanda (Bihar)	—do—
22.	—do—	—do—	Shri Dhananjay Kumar, Vill. Bhalta, Nalanda (Bihar)	—do—
23.	—do—	—do—	Shri Bhagirath Pd. Singh, Vill. Milkpur, P.O. Madhopur, P.S. Chandi, Nalanda (Bihar)	—do—

(1)	(2)	(3)	(4)	(5)
24.	General Election to Bihar Legislative Assembly, 1985.	199-Chandi	Shri Surendra Kumar Singh, Vill. Kamneddinganj, Bihar Sharif, Nalanda (Bihar)	Failure to lodge any account of election expenses.
25.	—do—	242-Arwal	Shri Jagdish Nath, Vill. Abigalla, P.O. Sarawan, P.S. Arwal, Distt. Gaya (Bihar)	—do—
26.	do—	—do—	Shri Ranj Bahadur Singh, Miradpur Kagzi Mohalla, P.O. Bedrabad, Distt. Gaya (Bihar)	—do—
27.	—do—	—do—	Shri Lakshmi Singh, Vill. Kahakiya, P.O. Barsi, P. Arwal, Gaya (Bihar)	—do—
28.	—do—	—do—	Shri Lakhan Ram, Vill. Kheyra, P.O. Osari, P.S. Arwal, Gaya (Bihar)	—do—
29.	—do—	—do—	Shri Laleswar Singh, Vill. Sarmeshwarpur, Distt. Gaya, Bihar	—do—
30.	—do—	—do—	Shri Baneshwar Prasad Singh, Vill. Khaveni Kola, Malkaganj, (Dhobhi Bniga), P.O. Khaveni, Distt. Gaya (Bihar)	—do—
31.	—do—	251-Imamganj (SC)	Shri Ravinder Nath Ravi, Vill. Manjholi, P.O. Dumriya, Distt. Gaya (Bihar)	—do—
32.	—do—	251-Imamganj (SC)	Shri Rajendra Ram, Vill. Khajaria, P.O. Tilaya, P.S. Amas, Distt. Gaya (Bihar)	—do—
33.	—do—	254-Barachatti (SC)	Shri Dev Kumar Prasad, Vill. Palanki Sakhi, P.O. Guraru, P.S. Konch, Distt. Gaya (Bihar)	—do—
34.	—do—	292-Jamshedpur	Shri G.S.R. Murti, W 4/7 Adityapur, Singhbhum (Bihar)	Failure to lodge the account in the manner required by law.

[No. BR-LA,85]

By Order,
S. D. PERSHAD, Under Secy.

आदेश

आ. अ. 88.—निर्वाचन आयोग का समाधान हो गया है कि नीचे की सारणी के स्तम्भ (2) में यथा विनिर्दिष्ट मध्य प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1985 के लिए जो स्तम्भ (3) में विनिर्दिष्ट निर्वाचन-क्षेत्र से हुआ है, स्तम्भ (4) में उसके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला ग्राम्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदानीन बनाए गए नियमों द्वारा उक्त सारणी के स्तम्भ (5) में यथा उपवर्णित रूप में प्रपते निर्वाचन व्यक्तों का लेखा दाखिल करते में ग्रसकत रहा है।

और उक्त ग्राम्यर्थियों ने सम्पूर्ण सूचना लिए जाने पर भी उक्त ग्रसकता के लिए या तो कोई कारण अथवा सम्भीकरण नहीं दिया है या उसके द्वारा लिए गए अध्यावेदन पर, यदि कोई हो, विचार करते के पश्चात् निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास उक्त ग्रसकता के लिए कोई पर्याप्त कारण या घट्टाघट्ट घोषित नहीं है।

इतः मध्य निर्वाचन आयोग उक्त अधिनियम की धारा 10-क के अनुसरण में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट व्यक्ति को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सत्रस्थ छुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहूत घोषित करता है।

सारणी

क्रम सं.	निर्वाचन की विधियाँ	सभा निर्वाचन क्षेत्र की फ़. सं. स.	निर्वाचन लड़ने वाले ग्राम्यर्थी का नाम व पता तथा नाम	निरहूत का कारण
(1)	(2)	(3)	(4)	(5)
1.	मध्य प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1985	18-मुरार मध्य निर्वाचन-क्षेत्र	श्री मैलाश नारायण, पक्कार, निवासी पारखणी का बाड़ा, लश्कर (म. प्र.)	कोई भी लेखा दाखिल नहीं किया
2.	—सही—	19-गिर्व ग्राम निर्वाचन क्षेत्र	श्री अरवान जा०, प्राम व पोस्ट बर्हा, जिला - ज्यालियर (म. प्र.)	—सही—

1	2	3	4	5
3.	मध्य प्रदेश विधान सभा के साधारण निर्वाचन, 1985	19-गिर्द नम्बर निर्वाचन शेष	श्री दीपक, थामोर गाँव, जिला-मरैना (म. प्र.)	सोई भी लेला वाक्यम नहीं किया
4.	-वही-	-वही-	श्री राकेश घट्टल, दल मंदिर के सामने, कम्पु रोड, लक्ष्मणगढ़ (म. प्र.)	-वही-
5.	-वही-	20-इवरा ममा निर्वाचन शेष	श्री कल्सा श्राविकासी घोषणाराम, ग्राम धोवठ, डाक इवरीकाना, नड्डील भितरखार (म. प्र.)	-वही-
6.	-वही-	-वही-	श्री जगराम, ग्राम केरुआ, परगना भितरखार (म. प्र.)	-वही-
7.	-वही-	-वही-	श्री अनीराम सिंह, ग्राम अगथरा, पोस्ट-चिसोग, गरणना-नोहद (म. प्र.)	-वही-
8.	-वही-	-वही-	श्री बालकृष्ण, ग्राम व पोस्ट निवारिया, गरणना-इवरा (म. प्र.)	-वही-
9.	-वही-	-वही-	श्री सुमेर सिंह, ग्राम चक गांधीनगर, पोस्ट बागलई (म. प्र.)	-वही-
10.	-वही-	22-सेपडा (अ. झा.)	श्री राम प्रसाद, ग्राम व पोस्ट-चरेट, नहमीन मेवडा, जिला दिनिया (म. प्र.)	-वही-
11.	-वही-	सिए	श्री जगदीश, ग्राम व पोस्ट कामद, नहमीन दिनिया, जिला दिनिया (म. प्र.)	-वही-
12.	-वही-	48-बिजावर ममा निर्वाचन-शेष	श्री आबूलाल औरसिया, ग्राम व पोस्ट गनागर, जिला छत्तीसगढ़ (म. प्र.)	-वही-
13.	-वही-	-वही-	श्री मातादीन अहोरखार, ग्राम कालापानी, धो. नंत्रगाय, नड़. छत्तीसगढ़, (मध्य प्रदेश)	-वही-
14.	-वही-	49-छत्तीसगढ़ ममा निर्वाचन-शेष	श्री मुम्मा खां, मानवाना मुहल्ला, वार्ड नं. 6, छत्तीसगढ़ (म. प्र.)	-वही-
15.	-वही-	-वही-	श्री रविन्द्र कुमार, मह मम्पाइक दीनिक कानौली, 18, जाउरिंग शोई कानौली, छत्तीसगढ़ (म. प्र.)	-वही-
16.	-वही-	-वही-	श्री स्वराज ग्रहमद, वार्ड नं. 12, मनानेशह मार्ग, छत्तीसगढ़ (म. प्र.)	-वही-
17.	-वही-	50-महाराजगुरु (अ. झा.) ममा निर्वाचन शेष	श्री अजोध्या प्रसाद, सिंगरात्र खुर्द, पी. नौगांव, (म. प्र.)	-वही-
18.	-वही-	-वही-	श्री हरीगम, वार्ड नं. 12, नौगांव, पी. नौगांव, नड्डील-नौगांव, जिला छत्तीसगढ़ (म. प्र.)	-वही-

[स. 76/म. प्र. - वि. घ.-/85(2)]

ORDER

O.N. 88.—Whereas the Election Commission is satisfied that each of the contesting candidates specified in column (4) of the Table below at the General Election to the Madhya Pradesh Vidhan Sabha, 1985 as specified in column (2) and held from the constituency specified in column (3) against his name has failed to lodge an account of his election expenses as shown in column (5) of the said Table as required by the Representation of the People Act, 1951 and the rules made thereunder;

And whereas the said candidates have either not furnished

any reason or explanation for the said failure even after due notice or the Election Commission, after considering the representation made by them, if any, is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the persons specified in column (4) of the Table below to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of 3 years from the date of this Order :

TABLE

S. No.	Particulars of election	Sl. No. and Name of constituency	Name and address of the contesting candidate	Reason of disqualification
(1)	(2)	(3)	(4)	(5)
1.	General Election to the Madhya Pradesh Vidhan Sabha, 1985	18—Morar	Shri Kailash Narain Patrakar, Resident—Parkhji ka bada, Lashkar (M.P.)	Failed to lodge any account of election expenses.
2.	—do—	19—Gird	Shri Arvan Khan, Vill. & Post Barai, Distt. Gwalior (M.P.)	—do—
3.	—do—	—do—	Shri Deepak, Barnor Vill., Distt. Morena, (M.P.)	—do—
4.	—do—	—do—	Shri Rakesh Achal, Datt Mandir ke Samne, Kampu Road, Lashkar, Gwalior (M.P.)	—do—
5.	—do—	20—Dabra	Shri Kalla Aadivasi Dhovatwale, Vill. Dhovat, Post. Davrikalan, Teh. Bhitarwar (M.P.)	—do—
6.	—do—	—do—	Shri Jag Ram, Vill. Kerua, Pargana Bhitarwar (M.P.)	—do—
7.	—do—	—do—	Shri Dhaniram Singh, Vill. Agthara, Post. Chitora, Pargana—Gohad (M.P.)	—do—
8.	—do—	—do—	Shri Balkrishan, Vill. & Post Simriya, Pargana—Dabra (M.P.)	—do—
9.	—do—	—do—	Shri Summer Singh, Vill. Chak Gandhipur, Post. Bagwai (M.P.)	—do—
10.	—do—	22—Seondha (SC)	Shri Ram Prasad, Vill & Post Thret, Teh. Seondha, Distt. Datia (M.P.)	—do—
11.	—do—	23—Datia	Shri Jagdish. Vill. & Post. Kamad, Teh. Datia, Distt. Datia (M.P.)	—do—
12.	—do—	48—Bijawar	Shri Babulal Chaurasia, Vill. & Post. Panagar, Distt. Chhattarpur, (M.P.)	—do—
13.	—do—	—do—	Shri Matadin Ahirwar, Vill. Kalapani, Post. Nandgay, Teh. Chhattarpur (M.P.)	—do—
14.	—do—	49—Chhattarpur	Shri Muana Khan, Matwana Muhalla, Ward No. 6, Chhattarpur (M.P.)	—do—
15.	—do—	—do—	Shri Ravinder Kumar, Sah Sampadak Dainik Kartavya, 18, Housing Board Colony, Chhattarpur (M.P.)	—do—
16.	—do—	—do—	Shri Swaraj Ahmad, Ward No. 12, Mastan Shah Marg, Chatarpur (M.P.)	—do—
17.	—do—	50—Maharajpur (SC)	Shri Ajodhya Prasad, Singarwankhurd, Post. Naugaon, (M.P.)	—do—
18.	—do—	—do—	Shri Hari Ram, Ward No. 12, Naugaon, Post Naugaon, Distt. Chhattarpur (M.P.)	—do—

आदेश

आ. अ. 89.—निर्वाचित आयोग का समाधान हो गया है कि नीचे की सारणी के स्तम्भ (2) में यथा विनिर्दिष्ट लोक सभा के लिए साधारण निर्णयित्व, 1984 के लिए जो स्तम्भ (3) में विनिर्दिष्ट निर्वाचन-क्षेत्र से हुआ है, स्तम्भ (4) में उसके सामने विनिर्दिष्ट निर्वाचित लड़ने वाला प्रत्येक अमर्यार्थी, जोक प्रतिनिवित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा उक्त सारणी के स्तम्भ (5) में यथा उपर्युक्त क्रम में अपने निर्वाचित व्ययों का लेखा दाखिल करने में असफल रहा है,

और उम्ह अध्ययनियमों ने सम्यक् सूचना दिए जाने पर भी उक्त असफलता के लिए या सांकोई कारण अथवा स्पष्टीकरण नहीं दिया है या उनके द्वारा दिए गए अध्यावेदनों पर, यदि कोई है, विचार करने के पश्चात निर्वाचित आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिए कोई पर्याप्त कारण या व्यायोवित्य नहीं है,

अतः अब, निर्वाचित आयोग उक्त अधिनियम धी धारा 10-के अनुसरण में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट व्ययों को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य ने जाने और होने के लिए इस ग्रावेश की नागरिक से तीन वर्ष की कालावधि के लिए निरर्दृत घोषित करता है।

सारणी।

क्रम सं.	निर्वाचित की विशिष्टियां	निर्धारित क्षेत्र की क्रम सं. तथा नाम	निर्वाचित लड़ने वाले अमर्यार्थी का नाम व पता	निरहेता का कारण
1	2	3	4	5
1.	लोक सभा के लिए साधारण निर्वाचित 1984	1—टीहरी गढ़वाल	श्री पीयुस नरायण झेनियाल, ग्राम सकलाना, पो. जरगाव,	निर्वाचित व्ययों का कोई भी लेखा दाखिल नहीं किया।
2.	—वही—	—वही—	जिला टीहरी गढ़वाल (उ. प्र.) श्री सत्ये सिंह रावत, ग्राम व पो. अलेख, पट्ठी जुवा, जिला टीहरी गढ़वाल (उ. प्र.)	—वही—
3.	—वही—	5—बिजनौर (भ. जा.)	श्रीमती जयश्री, ग्रा. व पो. ठंडामईवाल, जिला बिजनौर, (उ. प्र.)	—वही—
4.	—वही—	7—मोरादाबाद	श्री अफतर, ग्राम पलोला, पो. दीदवाली, जिला मुरादाबाद (उ. प्र.)	—वही—
5.	—वही—	—वही—	श्री विजयपाल, हरपाला ग्राम सोनकुर, जिला मुरादाबाद, (उ. प्र.)	—वही—
6.	—वही—	9—संभल संसदीय	श्री रंगाम सिंह, ग्राम तुधापुर, पो. मुतहटा बाहजोई, जिला मुरादाबाद (उ. प्र.)	—वही—
7.	—वही—	11—ग्रांवला	श्री किशोरी लाल, 37-मो. सांकुरारा, उजाहानी, बदायु (उ. प्र.)	निर्वाचित व्ययों का लेखा अपेक्षित समय के प्रत्यक्ष दाखिल नहीं किया।
8.	—वही—	13—पीलीभीत	श्री छोटेलाल, भो. बेड़ा न्योरिया, हुमेनपुरा, जिला भीलीभीत (उत्तर प्रदेश)	निर्वाचित व्ययों का कोई भी लेखा दाखिल नहीं किया।
9.	—वही—	13—पीलीभीत	श्री रामदत्त सिंह, ग्राम कलरोला, पो. नियुकीदम, जिला भीलीभीत (उ. प्र.)	—वही—
10.	—वही—	—वही—	श्री रामबाल हुमेन, मो. बणीर खां, जिला भीलीभीत (उ. प्र.)	—वही—
11.	—वही—	14—शाहजहांपुर	श्री जगवीर मो. महजनान जसलाबाद पो. जलालाबाद, जिला शाहजहांपुर (उ. प्र.)	—वही—
12.	—वही—	—वही—	श्री श्याम किशोर, मो. मुजफ्फरगंज, शाहजहांपुर (उ. प्र.)	—वही—
13.	—वही—	15—बीरो	श्री बद्रभाल ग्राम, मो. मोरंगाबाद, लखीमपुर बीरो (उ. प्र.)	—वही—
14.	—वही—	19—हरदोई (भ. जा.)	श्री रामगण, ग्राम परसापुर, पो. खांडी, जिला हरदोई (उ. प्र.)	—वही—
15.	—वही—	—वही—	श्रीमती विमला देवी, 540, आनूठोक, जिला हरदोई (उ. प्र.)	निर्वाचित व्ययों का लेखा समय के प्रत्यक्ष अपेक्षित रीति से दाखिल नहीं किया।
16.	—वही—	22—उन्नाव	श्री गोकरन नाथ, 161/1, मोती नगर, उन्नाव (उ. प्र.)	निर्वाचित व्ययों का कोई भी लेखा दाखिल नहीं किया।

1	2	3	4	5
17.	लोक सभा के लिए साधारण निर्बन्धन, 1984	22-उत्तराखण्ड	श्री राजकुमार, प्राम विश्वनाथ, पो. अमरौदी, जिला उत्तराखण्ड (उ. प्र.)	निर्बन्धन व्ययों का काई भी सेवा दायित्व नहीं किया
18.	—वही—	25-झमेठी	श्री घट्य चतुर्वेदी, 29, क्षेत्र स्वयंपर, कवीर मार्ग, लखनऊ (उ. प्र.)	—वही—
19.	—वही—	—वही—	श्री उमा, शंकर प्राम नरबहनपुर, पो. रामगंज, जिला सुलतानपुर (उ. प्र.)	—वही—
20.	—वही—	—वही—	श्री कलिकादीन, प्राम भैरोपुर, पो. विशेषराम (झमेठी) जिला भुकतानपुर (उ. प्र.)	—वही—
21.	—वही—	—वही—	श्री ज्ञालेश, प्राम गोरखपुर, पो. विशेषराम (झमेठी) (उ. प्र.)	—वही—
22.	—वही—	—वही—	श्री महावेद, प्राम सोईया, पो. रामगंज, जिला सुलतानपुर (उ. प्र.)	—वही—
23.	—वही—	—वही—	मो. याकूब, रायपुर कुलधारी, पो. झमेठी, जिला सुलतानपुर (उ. प्र.)	—वही—
24.	—वही—	—वही—	श्री भगव राम, प्रा. व पोस्ट कल्याणपुर जिला भुकतानपुर (उ. प्र.)	—वही—
25.	—वही—	—वही—	श्री रमदास, प्राम पुरेनाथन लोनियापुर, पो. झमेठी, जिला तुलतानपुर (उ. प्र.)	—वही—
26.	—वही—	—वही—	श्री सायं बहातुर, प्राम पाण्डेयपुर, जंगल रामपुर पो. जंगल रामगंग जिला सुलतानपुर (उत्तर प्रदेश)	—वही—
27.	—वही—	—वही—	श्री शमीम अहमद धाम धामकोलुर पो. अंगनाकोल, जिला सुलतानपुर (उत्तर प्रदेश)	—वही—
28.	—वही—	—वही—	श्री सन्तराम, प्राम मालया, पो. दैहाया, जिला सुलतानपुर (उ. प्र.)	—वही—
29.	—वही—	37.—बासगांव (म. जा.)	श्री स्वामी नाथ, प्राम गोरखनाथसह, पो. महरामो, जिला गोरखपुर (उत्तर प्रदेश)	निर्बन्धन व्ययों का सेवा समय के अन्दर व अपेक्षित रीति से दायित्व नहीं किया।
30.	—वही—	40.—पहरगाँव	श्री सुजात अली अफ़ सुजामत अली प्राम व पोस्ट कोहरगाँव जिला देवरिया (उ. प्र.)	निर्बन्धन व्ययों का सेवा अपेक्षित समय के अन्दर दायित्व नहीं किया।
31.	—वही—	41.—देवरिया	श्री कामू प्राम व पोस्ट पत्थरहाट, जिला देवरिया (उ. प्र.)	निर्बन्धन व्ययों का सेवा अपेक्षित रीति से दायित्व नहीं किया।
32.	—वही—	42.—सले मरुप	श्री बहम सिंह, प्राम वारडीह कलपत पो. वारडीह परसुराम जिला देवरिया (उ. प्र.)	निर्बन्धन व्ययों का सेवा अपेक्षित समय के अन्दर व रीति से दायित्व महीं किया।
33.	—वही—	—वही—	श्री मोहन राजवर, मा. व पा. लार, जिला देवरिया (उ. प्र.)	निर्बन्धन व्ययों का सेवा अपेक्षित समय के अन्दर व रीति से दायित्व महीं किया।
34.	—वही—	51.—च दोसी	श्री विश्वेनी नाथ, प्राम कुषियर, पो. बाबूरी जिला बाराणसी, (उत्तर प्रदेश)	निर्बन्धन व्ययों का कोई भी सेवा दायित्व नहीं किया।
35.	—वही—	—वही—	श्री लखन सिंह, प्राम माईकोट, पो. लंडा (चन्दोली) जिला बाराणसी (उत्तर प्रदेश)	निर्बन्धन व्ययों का कोई भी सेवा दायित्व नहीं किया।
36.	—वही—	—वही—	श्री सागीर, मकान नं. एस.- 7/78, मोलमपर, बाराणसी, (उत्तर प्रदेश)	—वही—

1	2	3	4	5
37.	सोक समा के लिए साधारण नियाचन, 1984	51—चन्दोल।	श्री मद्री प्रसाद, मंत्र एस. 9/151 नगरी बस्ती, कैट च.गणपती (उ.प्र.)	निवाचित व्ययों का कोई ने खा दाखिल नहीं किया।
38.	—वही—	52—वाराणसी	श्री दिलाप कुमार, डा. 39/190 बंगलो टोला, वाराणसी। (उत्तर प्रदेश)	—वही—
39.	—वही—	—वही—	श्री प्रमोद चन्द्र, के. 60/28, सिद्धा- माता की गली, वाराणसी, (उ.प्र.)	—वही—
40.	—वही—	—वही—	श्री शिवचरन, बी 13, 152, सोनारखुरा वाराणसी (उ.प्र.)	—वही—
41.	—वही—	—वही—	श्री शत्रुघ्न, ग्राम टिकारी, पो. नईपुरा जिला वाराणसी (उ.प्र.)	—वही—
42.	—वही—	55—फूलपुर	श्री कल्यालाल पटेल, 98 मध्यपुरा, पुराना बैरहाना इलाहाबाद (उ.प्र.)	—वही—
43.	—वही—	55—फूलपुर	श्री ब्रगदीश नारायण शुक्ला 19, लासकंत मार्ग, इलाहाबाद (उ.प्र.)	निवाचित व्ययों का कोई भी ले खा दाखिल नहीं किया
44.	—वही—	—वही—	श्री देवराज, ग्राम थ पो. टोकारी, जिला इलाहाबाद (उ.प्र.)	—वही—
45.	—वही—	—वही—	श्री गंजकुमार मिश्र, ग्राम गोदावा मालापुर, पो. सोगढ़ी, जिला इलाहाबाद (उ.प्र.)	—वही—
46.	—वही—	56—इलाहाबाद	श्री उमाशंकर गाम मामियारी, प्रमदाचायल इलाहाबाद (उ.प्र.)	—वही—
47.	—वही—	—वही—	श्री जहर घट्टमव, 66 कटरा इलाहाबाद (उत्तर प्रदेश)	—वही—
48.	—वही—	—वही—	श्री प्रेम चन्द, 25 बड़ा बघोड़ा, पो. सेलियारंज इलाहाबाद (उ.प्र.)	—वही—
49.	—वही—	—वही—	श्री राजेन्द्र घोन वर्मा, 136—ए, वकाराज, फौहेपुर (उ.प्र.)	—वही—
50.	—वही—	—वही—	श्री रामचरन उफ, आर सी पाण्डेय मस्ही। ग्राम पूराधलूद, पो. छवहा, असारा, जिला इलाहाबाद (उ.प्र.)	—वही—
51.	—वही—	—वही—	सुवेदार एस. पी. शर्मा, 47/53, पुराना कटरा, इलाहाबाद (उ.प्र.)	निवाचित व्ययों का लेखा समय के अंतर पर अपेक्षित रीति से दाखिल नहीं किया।
52.	—वही—	64—विवही	श्री हावाहीम लोदी, 123, मोरारु, कानपुर (उ.प्र.)	निवाचित व्ययों का कोई भी लेखा समय पर दाखिल नहीं किया।
53.	—वही—	—वही—	श्री ओम प्रकाश, ग्राम मलगऊ, पो. महेरा जिला कानपुर देहान (उत्तर प्रदेश)	—वही—
54.	—वही—	—वही—	श्री गोपी कुण्ठ, 3/112, विश्वनपुरी कानपुर (उ.प्र.)	—वही—
55.	—वही—	68—फतेपुर	श्री कुलवीप सिंह, 109/101, नेहरू नगर, कानपुर 12 (उत्तर प्रदेश)	निवाचित व्ययों का लेखा प्रवेश रीति से दाखिल नहीं किया।
56.	—वही—	—वही—	श्री अर्जुन सिंह, ग्राम थ पो. शाह, जिला फतेहपुर (उ.प्र.)	निवाचित व्ययों का लेखा समय के अन्दर पर अपेक्षित रीति से दाखिल नहीं किया।
57.	—वही—	68—फतेहाबाद	श्री महावीर प्रसाद शा. अर्थदाता नगर काशी गढ़, फतेहाबाद (उ.प्र.)	निवाचित व्ययों का कोई भी लेखा दाखिल नहीं किया।

2	3	4	5
58.	लोक सभा के लिए साधारण निर्वाचन, 1984	68—फलडाक्वाड	श्री शोदृष्ट लाल, ग्राम भारत नगर, पो. मसाना, जिला फलडाक्वाड (उ.प्र.)
59.	—वही—	—वही—	श्री राम स्वरूप, ग्राम विजयापुर, पो. मदनपुर, जिला करब्रावाड (उ.प्र.)
60.	—वही—	69—मैनपुरी	श्री संतोष सिंह चोहान ग्राम लड्डपुर बघोली, पो. नींगाव, जिला मैनपुरी (उ.प्र.)
61.	—वही—	69—मैनपुरी	श्री जितन्द्र सिंह ग्राम मलिङ्गानपुर पो. ३००, जिला मैनपुरी उ०प्र०
62.	—वही—	—वही—	श्री गजेन्द्र सिंह 160 कठरा स.हैव खाँ, इटावा उ०प्र०
63.	—वही—	76—अलीगढ़	श्री जवाहर लाल, बंसल मार्किट, जी.टी. रोड. अलीगढ़ (उ.प्र.)
64.	—वही—	—वही—	श्री धर्मचोर, नगला पदम, अलीगढ़ (उ.प्र.)
65.	—वही—	81—आगरा	श्री औम प्रकाश, 413, भगवतपुरा, मेरठ (उ.प्र.)
66.	—वही—	—वही—	श्री बद्र, ग्राम व पो. कासभपुर खेरी, जिला मेरठ (उ.प्र.)
67.	—वही—	—वही—	श्री महाक्षीर, योग व पो. बपरसी किस्ट, जिला मेरठ (उ.प्र.)
68.	—वही—	—वही—	श्री मानो, ग्राम व पो. जोहरी जिला मेरठ (उ.प्र.)
69.	—वही—	—वही—	श्री राजाराम भाटा, तिगड़ा, जे.ओ. कालोनी मार्केट, हि. असाक, चिल्ली।
70.	—वही—	—वही—	श्री सोहनपाल सिंह, ग्राम अहमद नगर, पो. रत्नील, जिला मेरठ, (उ.प्र.)
71.	—वही—	82—मुजफ्फरनगर	श्री ईश्वर, ग्राम इतमासपुर, पो. नईमरझी, मुजफ्फर नगर (उ.प्र.)

1	2	3	4	5
72.	लोक गमा के निए साधारण निर्वाचन, 1984	84—सहारनपुर संसदीय निर्वाचन झेत्र	श्री पालवासिंह, ग्राम अमृतगुर, तह. देवगढ़, जिला सहारनपुर (उ.प्र.)	निर्वाचित व्यक्ति कोई भी लेखा दखिल नहीं किया
73.	—घटी—	—घटी—	मो. पुरकान, ग्राम फलेहलापुर उर्फ तेलीपुरा, पो. बिहारीगढ़, जिला सहारनपुर (उ.प्र.)	—घटी—
74.	—घटी—	—घटी—	श्री होशियार सिंह, मो. नुमाईश कौप, बालमंडी कालोनी, सहारनपुर (उ.प्र.)	—घटी—
75.	—घटी—	85—हरिद्वार (अ.जा.)	श्री पलटू राम, 43, घनारस खालसा, मंगलोर, जिला सहारनपुर (उ.प्र.)	—घटी—
76.	—घटी—	—घटी—	श्री मरनपाल वाल्मीकी वस्ती, पो. कनकाल, जिला सहारनपुर (उ.प्र.)	—घटी—
77.	—घटी—	—घटी—	श्री राधेश्याम निह, 140, यिथपुरा कनकल हरिद्वार जिला सहारनपुर (उ.प्र.)	—घटी—
78.	—घटी—	—घटी—	श्री सोम प्रकाश, ग्राम व पोस्ट बहावराबाद, जिला सहारनपुर (उ.प्र.)	—घटी—

[सं. 76/30 प्र. लो. सं./85(4)]

ORDER

O.N. 89.—Whereas the Election Commission is satisfied that each of the contesting candidate specified in column (4) of the Table below at the General election to the Lok Sabha, 1984 as specified in column (2) held from the constituency specified in column (3) against his name has failed to lodge the account of his election expenses as shown in Column (5) of the said Table, as required by the Representation of the People Act, 1951 and the Rules made thereunder;

And, Whereas, the said candidates have either not furnished any reason or explanation for the said failure even after due notice of the Election Commission or after considering the representations made by them, if any, is satisfied that they have no good reason or justification for the said failure;

Now, Therefore, in pursuance of section 10A of the Said Act, the Election Commission hereby declared the person specified in column (4) of the Table below to be disqualified for being chosen as, and for being a member of either House of the Parliament or of the Legislative Assembly or Legislative Council of a State for a period of 3 years from the date of this order.

TABLE

S. No.	Particulars of Election No.	S. No. & Name of Constituency	Name and address of the Contesting Candidates	Reason of disqualification
1	2	3	4	5
1.	General Election to Lok Sabha, 1984	1—Tehri Garhwal	Shri Pius Narayan Uaiyal, Vill. Saklana, P.O. Jadgaon, Distt. Tehri Garhwal (U.P.)	Failed to lodge any Account of election expenses.
	—do—	—do—	Sh. Satye Singh Rawat, Vill. & Post Aleru Patti Juwa, Distt. Tehri Garhwal (U.P.)	—do—

1	2	3	4	5
3.	General Election to Lok Sabha, 1984.	5.—Bijnor (SC)	Smt. Jay Wati, Vill. & Post Tandamaidas, Distt. Bijnor (U.P.)	Failed to lodge any account of election expenses.
4.	—do—	7.—Moradabad	Shri Afsar, Vill. Polola, Post Didawji, Distt. Moradabad, (U.P.)	—do—
5.	—do—	—do—	Shri Vijay Pal Marthala, Vill. Sonakpur, Distt. Moradabad, (U.P.)	—do—
6.	—do—	9.—Sambhal	Shri Sangram Singh, Vill. Dudhapur, Post. Mutehta, Bohjoi, Distt. Moradabad, (U.P.)	—do—
7.	—do—	11.—Aonla	Shri Kishori Lal, 37—Moh. Sahukara Ujahani, Badauan (U.P.)	Failed to lodge the account within time and manner.
8.	—do—	13.—Pilibhit	Shri Chhotey Lal, Moh. Kheda Neoriyan Hussainpur, Distt. Pilibhit (U.P.)	Failed to lodge any account of election expenses.
9.	—do—	—do—	Shri Ram Dutt Singh, Vill. Kalrola, Post. Thijunidam, Dist. Pilibhit, (U.P.)	—do—
10.	—do—	—do—	Shri Shamshul Hussain, Moh. Vasbir Khan, Dist. Pilibhit (U.P.)	—do—
11.	—do—	14.—Shahjahanpur	Shri Jagvir, Moh. Mahajanan, Jalalabad, Post. Jalalabad, Distt. Shahjahanpur (U.P.)	—do—
12.	—do—	—do—	Shri Shyam Kishore, Moh. Muzaffarganj, Shahjahanpur, (U.P.)	—do—
13.	—do—	15.—Khiri	Shri Chandra Bhal Arya, Moh. Monrangabad Lakhimpur, Khiri (U.P.)	—do—
14.	—do—	19.—Hardoi (SC)	Shri Ram Nath, Vill. Paraspur, Post. Khandi; Dist. Hardoi (U.P.)	—do—
15.	—do—	—do—	Smt. Vimla Devi, 540, Aludhok, Dist. Hardoi (U.P.)	Failed to lodge the account within time and manner.
16.	—do—	22.—Unnao	Shri Gokaram Nath, 161/1, Moti Nagar, Unnao (U.P.)	Failed to lodge any account of election expenses.
17.	—do—	—do—	Shri Raj Kumar, Vill. Bishanpur, Post. Jamrauli, Dist. Unnao (U.P.)	—do—
18.	—do—	25.—Amethi	Shri Ajay Chaturvedi, 29, Clay Square, Kabir Marg. Lucknow (U.P.)	—do—
19.	—do—	—do—	Shri Uma Shanker, Vill. Narbahanpur, Post Ramganj, Dist. Sultanpur (U.P.)	—do—
20.	—do—	—do—	Shri Kalika Din, Vill. Bhairopur, Post Vishesarganj, (Amethi), Dist. Sultanpur (U.P.)	—do—
21.	—do—	—do—	Shri Jhallar, Vill. Gorakhpur, Post. Vishesarganj (Amethi), Dist. Sultanpur (U.P.)	—do—
22.	—do—	—do—	Shri Mahadev, Vill. Sainya, Post Ramganj, Dist. Sultanpur, (U.P.)	—do—

1	2	3	4	5
23.	General Election to Lok Sabha, 1984.	25-Amethi	Mohd. Yaqub, Raipur Phulwari, Post. Amethi, Dist. Sultanpur (U.P.)	Failed to lodge any account of election expenses.
24.	-do-	-do-	Shri Mangroo Ram, Vill. & Post Kalyanpur, Dist. Sultanpur (U.P.).	-do-
25.	-do-	-do-	Shri Ram Das, Vill. Puranathan Loniapur, Post Amethi, Dist. Sultanpur (U.P.)	-do-
26.	-do-	-do-	Shri Lal Bahadur, Vill. Pandeyapur, Jungle Ramnagar, Post Jungle Ramnagar, Dist. Sultanpur (U.P.)	-do-
27.	-do-	-do-	Sh. Shamim Ahmad, Vill. Amkol, Post Angnakol, Dist. Sultanpur (U.P.)	-do-
28.	-do-	-do-	Shri Sant Ram, Vill. Malva, Post Vajhra, Dist. Sultanpur (U.P.)	-do-
29.	-do-	37-Bansgaon(SC)	Shri Swaminath, Vill. Gajarnar Singh Post Mahrao, Dist. Gorakhpur (U.P.)	Failed to lodge the account within time and manner.
30.		40-padrauna	Shri Sujat Ali, alias Sujat Ali, Vill & Post Kohargaddi, Dist. Deoria (U.P.)	Failed to lodge any account of election expenses.
31.	-do-	41-Deoria	Shri Phagu, Vill & Post Patharkhat, Dist. Deoria (U.P.)	Failed to lodge the account within time.
32.	-do-	42-Saltimpur	Shri Brahm Singh, Vill. Verdih Dalpat, Post Vardih Parshuram, Dist. Deoria (U.P.)	Failed to lodge the account in manner.
33.	-do-		Shri Mohan Rajbhar, Moh. & Post Lai, Dist. Deoria (U.P.)	Failed to lodge the account within time and manner.
34.	-do-	51-Chandauli	Shri Bhilogi Nath, Vill. Kurthiya, Post Baburi, Dist. Varanasi (U.P.)	Failed to lodge any account of election expenses.
35.	-do-	51-Chandauli	Shri Lallan Singh, Vill. Naikot, Post Laonda (Chandauli) Dist. Varanasi (U.P.)	Failed to lodge any account of election expenses.
36.	-do-	-do-	Shri Sagir, H.No. 5-77-78, Golghar, Varanasi (U.P.)	-do-
37.	-do-	-do-	Shri Saddri Prasad, H.No. S-9/151, Nalbasti, Cantt Varanasi (U.P.)	-do-
38.	-do-	52-Varanasi	Shri Dilip Kumar, D.39/190, Banpolitoa, Varanasi (U.P.)	-do-
39.	-do-	-do-	Shri Pramod Chandra, K-60/28, Sidhmata Ki Galli, Varanasi (U.P.)	-do-

1	2	3	4	5
31.	G. 13-11 Election to Lok Sabha, 1984.	-do-	Shri Shiv Charan, B-13/15, Sorarpura, Vernasi (U.P.)	Failed to lodge any account of election expenses.
41.	-do-	-do-	Shri Shatrughan, Vill. Tikari, Post Naipura, Dist. Varanasi (U.P.)	-do-
42.	-do-	55-Phulpur	Sh. Kanhaiya Lal Patel, 98, Madhwpur, Putana Bairhana, Allahabad (U.P.)	-do-
43.	-do-	-do-	Shri Jagdish Narayan Shukla, 17, Taskant Marg, Allahabad (U.P.)	-do-
44.	-do-	-do-	Shri Dev Raj, Vill & Post Tokro, Dist. Allahabad (U.P.)	-do-
45.	-do-	-do-	Shri Raj Kumar Mishra, Vill. Godwa, Malapur, Post Sorao, Dist. Allahabad (U.P.)	-do-
46.	-do-	56-Allahabad	Shri Uma Shanker, Village Masiyari Amad Chayal, Allahabd (U.P.)	-do-
47.	-do-	-do-	Shri Zahoor Ahmed, 66, Katra, Allahabad (U.P.)	-do-
48.	-do-	-do-	Shri Prem Chandra, 25, Bada Bodhada, Post Teliaganj, Allahabad (U.P.)	-do-
49.	-do-	-do-	Shri Rajendra Mohan Verma, 136-A, Bakaraganj, Fatehpur (U.P.)	-do-
50.	-do-	-do-	Sh. Ram Charan alias R.C. Pandey "Mashachi" Vill. Purvaldu, Post Dubha Jasara, Distt. Allahabad (U.P.)	-do-
51.	-do-	-do-	Subadar S.P. Sharma, 47/53, Puranakatra, Allahabad (U.P.)	Failed to lodge the account with time and manner.
52.	-do-	64-Bilhaur	Shri Ibrahim Lodi, 123, Meerpur, Kanpur (U.P.)	Failed to lodge any account of election expenses.
53.	-do-	-do-	Shri Om Prakash, Vill. Melgau, P.O. Mahera, Dist. Kanpur Dehat (U.P.)	-do-
54.	-do-	-do-	Shri Gopi Krishna, 3/112, Vishnupuri, Kanpur (U.P.)	-do-
55.	-do-	58-Fatehpur	Shri Kuldeep Singh, 102/101, Nehru Nagar, Kanpur-12 (U.P.)	Failed to lodge the account in the manner.
56.	-do-	-do-	Shri Arjun Singh, Vill & Post Shah, Dist. Fatehpur (U.P.)	Failed to lodge the account within time and in manner.
57.	-do-	63-Farukhabad	Sh. Mahabir Prasad, Dr. Ambedkar Nagar, Kadiri Gate, Farukhabad (U.P.)	Failed to lodge any account of election expenses.

1	2	3	4	5
58.	General Election to Lok Sabha, 1984.	68-Farukhabad	Sh. Mohan Lal, Vill. Bharat Nagar, Post Majhwa, Dist. Farukhabad, (U.P.)	Failed to lodge any account of election expns.s.
59.	-do-	-do-	Sh. Ram Swaroop, Vill. Gajiyapur, Post Mardanpur, Dist. Farukhabad (U.P.)	-do-
60.	-do-	69-Mainpuri	Sh. Santosh Singh Chawhan, Vill. Laidpur Baghuli, Post Naugaon, Dist. Mainpuri (U.P.)	-do-
61.	-do-	-do-	Shri Jitendra Singh, Vill. Malikhanpur, Post Aung, Dist. Mainpuri (U.P.)	Failed to lodge the account within time and manner.
62.	-do-	-do-	Shri Gajendra Singh, 160, Katra Sahabkhana, Etawah (U.P.)	Failed to lodge any account of election exp ns.s.
63.	-do-	76-Aligarh	Sh. Jawaher Lal, Bausal Market, G.T. Road, Aligarh (U.P.)	Failed to lodge the account within the time and manner.
64.	-do-	-do-	Shri Dharam Vir, Nagla, Padam, Aligarh (U.P.)	-do-
65.	-do-	81-Bagpat	Shri Om Prakash, 413-Bhagwatpura, Meerut (U.P.)	Failed to lodge any account of election expns.s.
66.	-do-	-do-	Shri Baidu, Vill & Post Kasampur Kheri, Dist. Meerut (U.P.)	-do-
67.	-do-	-do-	Shri Mahabir, Vill & Post Baparsi Fisht. Dist. Meerut (U.P.)	-do-
68.	-do-	-do-	Shri Mangay, Vill. & Post Johri, Dist. Meerut (U.P.)	-do-
69.	-do-	81-Bagpat	Shri Raj Ram Bhati, Tigri, J.J., Colony, Mark t. 'E' Block, Delhi.	-do-
70.	-do-]	-do-	Shri Sohan Pal Singh, Vill. Ahmadnagar, Post Rataul, Dist. Meerut (U.P.)	-do-
71.	-do-	82-Muzaffar Nagar	Shri Ishwar, Vill. Islampur, Post New Mandi, Muzaffar Nagar (U.P.)	-do-
72.	-do-	84-Saharanpur	Shri Fagwa Singh, S/o Sh. Bharat Singh, Vill. Alipur, Tah. Devband, Dist. Saharanpur (U.P.)	-do-
73.	-do-	-do-	Shri Md. Furkhan, S/o Shri Ahmad Rahim, Vill. Fathullapur, alias Telepura, Post Bihari Garh, Dist. Saharanpur (U.P.)	-do-

1	2	3	4	5
74.	General Election to Lok Sabha, 1984.	81-Bagpat	Shri Hoshiyer Singh, S/o Sh. Rulha Ram, M. Numaish Camp, Balmiki Colony, Saharanpur (U.P.)	-do-
75.	-do-	85-Hardwar (SC)	Shri Pattu Ram, S/o Shri Jai Singh, 43, Chamaran Khalsa, Mangiar, Dist. Saharanpur (U.P.)	-do-
76.	-do-	-do-	Shri Madan Pal, Balmiki Basti, Post Kankhal, Dist. Saharanpur (U.P.)	-do-
77.	-do-	-do-	Shri Radhey Shyam Singh, 140, Shivpura Kankhal, (Hardwar) Dist. Saharanpur (U.P.)	-do-
78.	-do-	-do-	Shri Som Prakash, Vill & Post Bahadrbabad, Dist. Saharanpur (U.P.)	-do-

[No. 76/UP-H.P./85-(i)]

आदेश

मा. घ. 90 ---निर्वाचन प्रायोग का समाप्त हो गया है कि नीचे की सारणी के स्तम्भ (1) में यथा विनिर्दिष्ट उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1985 के लिए जो स्तम्भ (3) में विनिर्दिष्ट निर्वाचन-स्थेत सुधारा है स्तम्भ (4) में उसके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रध्येक अध्यक्ष, सौक प्रतिनिधित्व अधिनियम 1951 तथा तदीन बनाए गए नियमां द्वारा उक्त सारणी के स्तम्भ (5) में यथा उपलब्धित रूप में अपने निर्वाचन अधिकारी का नेतृत्व वालिस करने में असफल रहा है,

और उक्त अध्यक्षों ने सम्यक सूचना दिए जाने पर भी उक्त असफलता के लिए या तो कोई कारण अवश्य स्पष्टीकरण नहीं दिया है या उनके द्वारा दिए गए अस्तावेदनों पर, यदि कोई ही, विचार करने के पश्चात् निर्वाचन प्रायोग का यह समाप्त हो गया है कि उनके पास उक्त असफलता के लिए कोई पर्याप्त कारण या आयामीचित्त नहीं है,

अतः मम, निर्वाचन प्रायोग उक्त अधिनियम की धारा 10-के अनुसर में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट अधिकारी को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अवश्य विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश को तारीख से तीन वर्ष की कालावधि के लिए निर्धारित घोषित करता है।

सारणी

क्रम सं.	निर्वाचन की विधिविधियाँ नाम	निर्वाचन क्षेत्र की क्रम सं. तथा नाम	निर्वाचन लड़ने वाले अध्यक्षों का नाम व पता	निर्दृता का कारण
1	2	3	4	5
1.	उत्तरप्रदेश विधान सभा के लिए साधारण निर्वाचन, 1985	1-उत्तरकाशी (ग.जा.)	श्री कुमारन साल, ग्राम-बड़ेधी, डा.-मालंसी, जिला-उत्तरकाशी (उ.प.)	कोई सो लेखा वालिस नहीं किया
2.	-पही-	-पही-	श्री बर्पिया जाल, ग्राम-कुमोला, डा.-पुरीला, जिला-उत्तरकाशी (उ.प.)	-पही-
3.	-पही-	-पही-	श्रीमतो सुशीला देवी, कम्हार लंडा, नरेला नगर, जिला-टिहरी गढ़वाल (उत्तर प्रदेश)	-पही-
4.	-पही-	2-टिहरी	श्री पीताम्बर दत ग्राम-परसारी पट्टी जामणीघार, टिहरी गढ़वाल (उ.प.)	लेजा-विधि द्वारा अप्रैलित रीति से वालिस नहीं किया

1	2	3	4	5
5.	उत्तर प्रदेश विधान सभा के लिए	1—उत्तर काशी (अ०जा०)	श्री सत्य नारायण, ग्राम—बमिला, पट्टी कमर, टिहरी—गढ़वाल (उ.प्र.)	लेखा बिधि द्वारा अपेक्षित रूप से दाखिल नहीं किया
6.	वही	3—वेव प्रयाग	श्री लगत सिंह ग्राम—ऊगवाल गांव, पट्टी बड़मा, जिला—टिहरी गढ़वाल (उ.प्र.)	—वही—
7.	—वही—	—वही—	श्री साक्षीराम जोशी, ग्राम—छोटी बरसी, पो. बरसी, जि. टिहरी गढ़वाल (उत्तर प्रदेश)	—वही—
8.	—वही—	—वही—	श्री पुष्पीतम शर्मा, 206, चैक्कूला मोहल्ला सेहराबून (उत्तर प्रदेश)	कोई भी लेखा दाखिल नहीं किया।
9.	—वही—	11—शार्मेश्वरी (अ.जा.)	श्री माता प्रसाद, ग्राम—कल्पी बमीरी, पो.—हल्दानी, जिला—नैनीताल (उ.प्र.)	—वही—
10.	—वही—	12—रानीखेत	श्री प्रयाग दल ग्राम व डा.—पर्सगाँव, तहसील रानीखेत, जिला अल्मोड़ा (उ.प्र.)	—वही—
11.	—वही—	—वही—	ओ रणजीत सिंह, ग्राम—वधाणा आ.—चिलियानोला, तहसील—रानीखेत, जिला अल्मोड़ा (उ.प्र.)	—वही—
12.	—वही—	13—नैनीताल	श्री बलकार, ग्राम छतशुर पुर भाष्टक पोस्ट—मेवला कलां, जिला—मुराशाख (उ.प्र.)	—वही—
13.	—वही—	—वही—	श्री हवीबदल एहमान रामनगर/जिला रामनगर (उत्तर प्रदेश)	—वही—
14.	—वही—	36—बिलासपुर	श्री कैलाश, दग्ध बिलास, चीनी मिल, बिलासपुर, जिला—रामपुर (उत्तर प्रदेश)	लेखा समय तक अपेक्षित रूप से दाखिल नहीं किया।

[सं. 76/उ.प्र. वि. स./85-2]

ORDERS

O. N. 9).—Whereas the Election Commission is satisfied that each of the contesting candidate specified in column (4) of the Table below at the General election to the Uttar Pradesh Legislative Assembly, 1985 specified in column (2) held from the constituency specified in column (3) against his name has failed to lodge the account of his election expenses as shown in Column (5) of the said Table, as required by the Representation of the People Act, 1951 and the Rules made thereunder;

And, whereas, the said candidates have either not furnished any reason or explanation for the said failure even after due notice of the Election Commission or after considering the representations made by them, If any, is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of Section 10 A of the said Act, the Election Commission hereby declares the persons specified in column (1) of the Table below to be disqualified for being chosen as, and for being, a member of either House of the Parliament or of the Legislative Assembly or Legislative Council of a State for a period of 3 years from the date of this order.

TABLE

S. No.	Particulars of Election.	S. No. & Name of Constituency	Name and address of the Contesting Candidate.	Reason of disqualification.
1	2	3	4	5
1.	General Election to U.P. Legislative Assembly 1985.	1. Uttar Kashi (SC)	Sh. Kundan Lal Vill. Barothi, P.O. Matli, Dist. Uttar Kashi (U.P.)	Failed to lodge any account of election expenses.
2.	-do-	-do-	Shri Barfia Lal, Vill. Kumola, P.O. Puroula, Dist. Uttar Kashi.	-do-
3.	-do-	-do-	Smt. Sushila Kumarkot, Narendra Nagar, Distt. Tehri Garwal (U.P.)	-do-
4.	-do-	2—Tehri	Shri Pitamber Datt, Vill. Parsari Patti Jakhnidhar, Distt. Tehri Garwal (U.P.)	Failed to lodge his account in the manner.
5.	-do-	-do-	Shri Satya Narain, Village—Chamiala, Patti Kamar, Distt. Tehri Garwal (U.P.)	-do-
6.	-do-	3—Deoprayag	Shri Bhagat Singh, Vill. Dangwalgaon, Patti Barma, Distt. Tehri Garwal (U.P.)	-do-
7.	-do-	-do-	Shri Lakh Ram Joshi, Vill. Chhoti Bairani, P.O. Bairao Distt. Tehri Garwal (U.P.)	-do-
8.	-do-	-do-	Shri Purshottam Arya, 206, Chukhuwala Mohalla, Doharadun (U.P.)	Failed to lodge any account of election expenses.
9.	-do-	11—Bageshwar (SC)	Shri Mata Pra-ad. Vill. Talli Bamouri, P.O. Haldhani, Distt. Nainital (U.P.)	-do-
10.	-do-	12—Ranikhet	Shri Prayag Datt Vill. & Post Pantgaon, Tah. Ranikhet, Almora (U.P.)	-do-
11.	-do-	-do-	Shri Ranjit Singh, Vill. Badhan, P.O. Chilianoula, Tah. Ranikhet, Almora (U.P.)	Failed to lodge any account of election expenses.
12.	-do-	13—Nainital	Shri Balkar Village Chhatarpur Nayak P. Moubalakala, Distt. Moradabad (U.P.)	-do-
13.	-do-	-do-	Shri Habibul Rahman Ramnagar, Distt. Ramnagar (U.P.)	-do-
14.	-do-	38-Bilaspur	Shri Kailash Rudrya Bihari Chini Mill, Bilaspur, Rampur (U.P.)	Failed to lodge his account within time and in the manner required by law.

[No. 76/U.P-LA/85 (2)]

आ. आ. 91:—भारत निवायन आवोग का सनातन हो गया है कि नोटे को सालों के समय (2) में यथा विनियिष्ट समय समा के लिए साधारण निवायन 1984 के लिए जो समय (3) में विनियिष्ट निवायन केवल से हुआ है, समय (4) में उसके सामने विनियिष्ट निवायन लाने वाला अधिकारी, सीक्रेटरी प्रतिनिधित्व प्रधि नियम, 1951 तथा तद्वीज बनाए गए नियमों द्वारा सह सारणी के समय (5) में यथा उपर्याप्त कर में अपने निवायन अधिकारी द्वारा वालिक करने में असफल रहा है।

और उक्त प्रध्यायियों ने सम्में सूचना दिए जाने पर भी उक्त असफलता के लिए या तो कोई कारण अथवा स्पष्टीकरण नहीं दिया है या उसके द्वारा दिए गए अस्यावेदन पर, यदि कोई हो, विचार करने के पश्चात् निवाचिन थायांग पा यह समाधान हो गया है कि उसके पास उक्त असफलता के लिए कोई पर्याप्त कारण या स्पृश्योचित्य नहीं है।

अतः अब, निवाचिन थायांग उक्त अधिनियम की धारा 10-के अनुसरण में नोट्स की सारणी के स्तम्भ (4) में विविषिष्ट व्यक्ति के संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य नुने जाने और होने के लिए इस भारत की तारीख से हीन वर्ष की कालाबधि के लिए निरहित घोषित करता है।

सारणी

क्रम सं.	निवाचिन की विशिष्टियों संसदीय निवाचिन-क्षेत्र की कम सं. तथा नाम	निवाचिन लड़ने वाले अस्यायी का नाम व पता	निरहिता का कारण	
1.	लोक सभा के लिए साधारण निवाचिन, 1984	23—बालाघाट संसदीय निवाचिन क्षेत्र	श्री इटठड आहेपवर, प्राम व डाक मोदा, तह. व जिला—बालाघाट, (म.प्र.)	कोई भी लेखा धारिल नहीं किया
2.	—वही—	—वही—	श्री दयाराम वार्ड म. 19, बालाघाट तह. व जिला—बालाघाट (मध्य प्रदेश)	—वही—
3.	वही	25—जबलपुर संसदीय निवाचिन क्षेत्र	श्री ओम केशव, 465—जीतसंगंज, जबलपुर (म.प्र.)	वही
4.	वही	वही	श्री दण्डरथ लाल, 554, हनुमन्तील, जैन मंदिर के समीप, जबलपुर (म.प्र.)	वही
5.	वही	वही	श्री भाग्यण प्रसाद चौधरी म.सं. 1603, भास्तिया पुलिस चौकी के पीछे, जबलपुर (मध्य प्रदेश)	वही
6.	वही	वही	श्री विहारी, जगमंडल वार्ड सम्मी, पानगोर, जबलपुर (म.प्र.)	वही
7.	वही	वही	श्री शर्वसद्गुरु भद्रानी सिंह पटेल, ग्राम कोठरा, डाक—कोठरा सहस्रल निवाचिनीमत्ता, जिला हीरांगांव (म.प्र.)	वही
8.	वही	वही	श्री शंकरलाल चौरसिया, पान की दुकान, गिवाजी वार्ड कन्छेली, जिला नर्मदापुर (म.प्र.)	लेखा विधिद्वारा अपेक्षित रोति से धारिल नहीं किया
9.	वही	34—खण्ड वा संसदीय निवाचिन क्षेत्र।	श्री मो. आशिफ, मो. अशरफ, म.नं. 23/1/गांधी चोक आशरफस्ट-स्प्रिंग्स बुरहानपुर (म.प्र.)	कोई भी लेखा धारिल नहीं किया
10.	—वही	वही	श्री बाबू लाल चौधरी, माली कुवा, बरहानपुर खण्डवा (म.प्र.)	लेखा विधि द्वारा अपेक्षित रीति से धारिल नहीं किया
11.	वही	37—इन्दीर संसदीय निवाचिन क्षेत्र श्री नारायण सिंह, जावोन 449, मोहता नगर, इन्दौर, भाग्यरथपुरा इन्दौर (म.प्र.)	कोई भी लेखा धारिल नहीं किया	

1	2	3	4	5
12.	शोकसभा के लिए साधारण निवंत्ति 1984	37-इन्दौर संसद य निवंत्ति सेक्टर	श्री दिलीप मेहता 120/1, प्रविष्ट नगर, इन्दौर (म.प्र.)	फोर्ड भ' सेक्टा शाबिल नहरी किया
13.	वही	वही	डा. फैज मोहम्मद भन्सारी, 45/3, नई बागड़, इन्दौर (म.प्र.)	वही
14.	वही	वही	श्री रतन सिंह, ग्राम सोलसिया, तहसील खावेर, (म.प्र.)	वही
15.	वही	वही	श्री राधेश्याम पाटोदार, ग्राम भगोरा, तहसील मढ़, जिला—इंदौर (म.प्र.)	वही
16.	वही	वही	श्री रमेश गेलवाला, 442/4, मन्दा नगर, इन्दौर (म.प्र.)	लेखा विधि द्वारा प्रपेक्षित रीति से शाबिल नहीं किया।

[सं. 76/म. प्र. ज्ञ. सं./85/(5)]

प्राप्ति के,

एन. सी. जैन सचिव

ORDER

O.N. 91.—Whereas the Election Commissioner is satisfied that the contesting candidate specified in column (4) of the Table below at the General election to the Lok Sabha, 1984 as specified in column (3) against his name has failed to lodge the account of his election expenses as shown in column (5) of the said Table, as required by the Representation of the People Act, 1951 and the Rules made thereunder;

And, whereas, the said candidates have either not furnished any reason or explanation for the said failure even after due notice of the Election Commission, after considering the representation made by him, if any is satisfied that he has no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10A of the said Act the Election Commission hereby declares the person specified in column (4) of the Table below to be disqualified for being chosen as, and for being a member of either House of the Parliament or of the Legislative Assembly or Legislative Council of a State for a period of 3 years from the date of this order.

TABLE

Sl. No.	Particulars of election	S.No. & Name of Constituency	Name and address of the Contesting Candidate.	Reason of disqualification
1	2	3	4	5
1.	General Election to the Lok Sabha, 1984	23—Balaghat	Shri Ithal Baheswar Vill. & Post Mouda Tah & Distt. Balaghat (M.P.)	Failed to lodge any account of election expenses.
2.	-do-	-do-	Shri Daya Ram, Ward No.19, Balaghat, Tah. & Distt. Balaghat (M.P.)	-do-
3.	-do-	25—Jabalpur	Shri Om Keshav 465--Jonsganj, Jabalpur (M.P.)	-do-
4.	-do-	-do-	Shri Dasrath Lal, 554, Hanumantal near Jain Mandir, Jabalpur (M.P.)	-do-
5.	-do-	-do-	Shri Narain Prasad Choudhary, House No. 1603, Bhantlia behind Police chowki, Jabalpur (M.P.)	-do-

1	2	3	4	5
6.	General Election to the 15-Jabalpur Lok Sabha, 1984		Shri Bihari, Jagmohan ward Lamti Pangare, Jabalpur (M.P.)	Failure to lodge any account of election expenses.
7.	-do-	-do-	Shri Sher Singh Patel Bhaawani Singh Patel Vill. Kothra, Post. Kothara Tah. Sibnimalwa Distt. Hoshangabad (M.P.)	-do-
8.	-do-	-do-	Shri Shanker Lal Chourasya, Pan Ki Dokan, Shivaji Ward Kandell Distt. Narsinghpur (M.P.)	Account not lodged in the manner required by law.
9.	-do-	34-Khandwa	Shri Mohd. Asif Mohd. Asraf, House No. 23/1, Gandhi Chowk, Ashraf Satdio, Burhanpur (M.P.)	Failed to lodge any account of election expenses.
10.	-do-	-do-	Shri Babu Lal Chhouthmal Mali Kuwa, Barhanpur Khandwa (M.P.)	Account not lodged in the manner required by law.
11.	-do-	37-Indore	Shri Narain Singh Jadaun, 449, Mohata Singar Indore, Bhagirathpura, Indore-(M.P.)	Failed to lodge any account of election expenses.
12.	-do-	-do-	Shri Dilip Mehta, 120/1, Drabir Nagar, Indore (M.P.)	-do-
13.	-do-	-do-	Dr. Falj Mohd. Ansari, 46/3, New Bagar, Indore.(M.P.)	-do-
14.	-do-	-do-	Shri Ratan Singh, Vill. Solsinda, Tah. Samber (M.P.)	-do-
15.	-do-	-do-	Shri Radhey Shyam Patidar, Vill. Bhora, Tah. Mahu Distt. Indore (M.P.)	-do-
16.	-do-	-do-	Shri Gandalal, 442/4, Nanda Nagar, Indore (M.P.)	Account not lodged in the manner required by law.

[No. 76/M HP/85 (5)

By order
S.C. JAIN, Secy.

महं दिवं, 23 अप्रैल, 1986

18-11-1985 of the High Court of Judicature at Allahabad (Lucknow Bench) in Election Petition No. 6 of 1985.

आ.प्र. 92.—लोक प्रतिनिधित्व योग्यनियम, 1951 (1951 का 43) की धारा 106 के अनुसरण में, निर्बन्ध आयोग 1985 की नियमित पर्याप्ति सं. 6 में इलाहाबाद उच्च न्यायालय (सखनक वैद्य) के तारीख 18-11-1985 के नियम को एतद्वारा प्रकाशित करता है।

[मं. 82/उ.प्र.लो.स./6/85(लखनऊ)]

IN THE HONBLE HIGH COURT OF JUDICATURE
AT ALLAHABAD (LUCKNOW BENCH), LUCKNOW
Election Petition No. 6 of 1985

Fazlul Bari Banney, son of Sri Iltifat Ahmad, r/o Mohalla Imambara, Gonda City, Gonda Petitioner.

New Delhi, the 23rd April, 1986

Versus

O.N. 92.—In pursuance of Section 106 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the Judgment dated 132 GI/86—5.

1. Sri Deep Narain Ban Mahanth, son of Sri Swayambhar, r/o Sri Nagar, Tahsil, Post Office and Distt. Gonda.

2. Sri Krishna Nand son of Badri Narain, r/o village Pat Kuiyan, Post Office Bangai, Tahsil Balampur, distt. Gonda.
 3. Sri Jang Bahadur Singh, son of Sri Avadh Pal Singh, r/o villages Raghavpur Gaota, post office Bannan Jot, District Gonda.
 4. Sri Panna Lal, son of Sri Mewa Lal r/o village Sheopur Bazar, post office Sheopura, distt. Gonda.
 5. Sri Birendra Singh son of Sri Utri Singh, r/o Mohalla Raja, Gonda City, Gonda.
 6. Sri Mahmoodul Hasan, son of Iqbal Hasan, Town & Post office Sadullah Nagar, Gonda, distt. Gonda.
 7. Sri Museebat Ali, son of Sri Bagridi, r/o Tulsipur, post office Tulsipur, distt. Gonda.
 8. Sri Ram Prasad son of Sri Radhika Prasad, r/o Shewnage District Gonda.
 9. Sri Viehwa Nath son of Sri Bankey Lal, r/o Baluba, Balrampur, distt. Gonda.
 10. Sri Shanti Swaroop Shukla, son of Sri Triveni, Mohalla Pant Nagar, Gonda City, Gonda.
 11. Sri Shro Narain Gupta, son of Sri Ram Balli Ganta, r/o Vishunipur, P O. Bhagwatiganj, distt. Gonda.
 12. Sri Satya Deo Singh, son of Sri Rajpati Singh, r/o Chedipurwa, Dukh Haran Nath, distt. Gonda.
 13. Sri Syed Rauf, son of Sri Syed Abdul Wahab, r/o Mohalla Mewatiyan, Gonda City, Gonda.
 14. Sri Hari Har Narain, son of Sri Ram Harrakh, r/o Baluba, Balrampur, distt. Gonda.
 15. Sri R. N. Sinha, District Magistrate, Gonda.

..... RESPONDENTS.

Election Petition under section 80/81 of the Representation of the people's Act, 1951 :

Lucknow Dated 18-11-1985

Hon'ble Parmeshwar Dayal, J.
This is an election petition, filed under Section 80-81 of
the Representation of People Act, 1951.

The respondent no. 1 Sri Deep Narain Bar. Mahant was declared elected as a Member of Parliament on 29-12-1984 from the 32-Balrampur Lok Sabha constituency by the respondent no. 15, Sri R. N. Sinha, the District Magistrate, Gonda who was Returning Officer of the said election.

The said election was contested by respondents 2 to 14 as well as by the petitioner Fazlul Bari alias Bankey Bhai.

The petitioner Fazlul Bari challenged the validity of the election of the respondent no. 1, Sri Deep Narain Mahant by means of this petition on grounds that he secured the second highest votes in the said election. The respondent no. 1 had secured 1,28,207 votes while the petitioner had secured 1,19,551 votes. The number of total valid votes cast in the aforesaid Election was 3,97,774 and the total number of votes declared invalid was 10,410. The total number of votes polled was 4,08,184 out of which 30 votes receive by post. The respondent no. 1 had been the President of the U.P. Muslim Majlis and he contested the election as candidate of Muslim Majlis but he was treated as independent candidates since his party was not recognised as a Political party. The respondent no. 1 was the candidate of the Congress (I) 32-Balrampur Lok Sabha constituency comprised of 5 Assembly segments namely; (1) 154-leusari, (2) 155-Tulsipur, (3) 156-Balrampur, (4) 157-Utraula and (5) 158-Sadullanagar,

The petitioner further alleged that the respondent no. 15, Sri R. N. Sinha was posted as District Magistrate, Gonda only a couple of months before the declaration of the Parlia-

imentary elections and soon after his taking over charge at Gonda he started making efforts to improve the image of Congress(I) party for which he was helped by the Congress (I) party leaders, Sri N. D. Tewari and Sri Vishwanath Pratap Singh, with the consent of the respondent no. 1 Sri R. N. Sinha and his subordinates so manoeuvred the arrangements of the polling as well as of the counting that the prospects of the respondent no. 1 in the Election became sound. The ballot boxes were not supplied at the polling stations in sufficient number. Canvas bags and biscuits boxes of tin were used as ballot boxes with a view to replacing spurious and duplicate ballot papers in favour of the respondent no. 1. The polling had to remain suspended for a number of hours at most of the polling stations and hundreds of voters had to go back without exercising their franchise. Some time before the transit to the place of counting, the canvas bags and biscuit boxes were opened and the ballot papers were destroyed and the same were replaced by spurious and duplicate ballot papers and were kept in the ballot boxes. This is why the canvas bags and biscuit boxes were not found in the counting pandal. Had the ballot papers contained in the canvas bags and the biscuit boxes been counted they would have made the chances of the petitioner, brighter for winning the Election.

The petitioner further contended that there has been counting of invalid votes, improper rejection of the valid votes of the petitioners of which he gave details in Schedules 3 to 6, attached with the Election Petition. He alleged that the Returning Officer did not entertain the written objections made on his behalf by his agents by his agents and avoided the same by saying that he would have a right to claim re-checking. He alleged that there has been a large scale rigging in the Election and more than 20 unauthorised persons were present in the Counting Pandal and were brought there for terrorising the Counting Agents of the petitioner. According to the petitioner, the result of the Election has been materially affected on account of corrupt practices and wrongful counting. He, therefore, prayed for declaring the Election of the respondent no. 1 to be void and for declaring him as a duly elected member of the Lok Sabha after recounting of the ballot papers found valid as well as invalid.

The respondent no. 15 Sri R. N. Sinha filed a written statement alleging that he was transferred to Gonda on 23-6-1984; the canvas bags at the polling station no. 47-Mathura and 161-Mohanpur of 155-Tulsinur Assembly segment and few other were used; the allegations made against him were all malicious; two ballot boxes were supplied initially for each polling station as per directions of the Election Commission and adequate arrangements were made for extra boxes, where needed. The respondent no. 15, as never approached by Sri N. D. Tewari or Sri Vishvanath Pratap Singh about the conduct of the Election and that the petitioner's own applications moved on 28th and 29th December, 1984 indicated that the allegations made in the petition were false; and whatever has now been alleged in the petition was not alleged in those applications; and that the petition was not alleged in those applications; and that fictitious and malicious.

The respondent no. 1, Shri Deep Narain Malant, moved Civil Misc. Application No 43(E) of 1985 for striking off paragraphs 12 to 18 of the Election Petition on grounds that they did not set forth full particulars of the corrupt practices as contemplated by section 83 of the Representation of people Act, 1951 (hereinafter to be referred to as the Act). It has further been alleged in the application that the said paragraphs 12 to 18 are vague and general and that the affidavit, filed with the petition, is not properly verified.

The petitioner filed objections vide Civil Misc. Application No. 51(E) of 1985 to the effect that the application 43(E) of 1985 has been moved only to delay the proceedings of the Election petition inasmuch as before filing the present application the respondent no. 1 had moved an application for him to file written statement. The respondent no. 1 then filed a rejoinder affidavit dated 17-7-1985.

The respondent no. 1 moved another Civil Misc. Application No. 44(P) of 1985 for striking out paragraph 19 to 37 of the Election petition on grounds that they are absolu-

tely vague and do not contain a concise statement of material facts. The petitioner filed objections vide Civil Misc. Application No. 52(E) of 1985 alleging that Schedules 1 to 6 attached with the Election petition fully established the case of recounting of the ballot papers, as held in AIR 1982 SC page 1569. The petitioner filed a rejoinder affidavit dated 17-7-1985.

Civil Misc. Application No. 43(E) of 1985 has been moved with respect to the paragraphs 11 to 18 of the Election Petition on the basis that they are not in conformity with the law required under Section 83 of the Act. Section 83 of the Act reads as follows :—

"Contents of petitioner.—(1) An election Petition :—
 (a) shall contain a concise statement of the material facts on which the petitioner relies;
 (b) shall set forth full particulars of any corrupt practice that the petitioner alleges, including as far as possible of the names of the parties alleged to have committed such corrupt practice and the date and place of the commission of each such practice; and
 (c) shall be signed by the petitioner and verified in the manner laid down in the Code of Civil procedure, 1908 (5 of 1908) for the verification of pleadings;

Provided that where the petitioner alleges any corrupt practice, the petition shall also be accompanied by an affidavit on the prescribed form in support of the allegation of such corrupt practice and the particulars thereof.

(2) Any schedule or annexure to the petition shall also be signed by the petitioner and verified in the same manner as the petition."

Thus the petitioner of an Election petition is required to give in his petition a concise statement of the material facts, full particulars of corrupt practice, if any, a full statement as far as possible of the names of the parties alleged to have committed any such corrupt practice, date and place of the commission of each such corrupt practice; and he should himself sign and verify the pleadings in the manner laid down in the Code of Civil procedure, 1908. The election petition should be accompanied by an affidavit in the prescribed form No. 25. The annexures and schedules of the petition should also be signed by the petitioner and verified in the same manner as the petition. The corrupt practices have been elaborated in section 123 of the Act as referring to; (1) Bribery, (2) undue influence, (3) an appeal on the ground of religion, race, caste, community or language or the use of symbols likewise, (3a) promotion of or attempt to promote the feelings of enmity or hatred between the different sects on the ground of religion etc. (4) publication of any statement of fact which is false or which the candidate or his agent believes to be false and which publication is made with the consent of the candidate or his election agent, (5) hiring or procuring any vehicles by the candidate or his agent or by any other person with the consent of the candidate or his agent for conveying an elector or his family members, (6) incurring or authorising expenditure in contravention of section 77 of the Act and (7) obtaining or procuring or availing or attempting to obtain or procure by a candidate or his agent or by any other person with their consent any assistance for the furtherance of the prospects of that candidate's election from gazetted officers, stipendiary judges and magistrates, members of the armed forces of the Union, members of the police forces, excise officers, revenue officers and such other class of persons in the service of the Government as may be prescribed.

Under section 87 of the Act, every election petition has to be tried, as nearly as may be, in accordance with the procedure applicable under the Code of Civil Procedure, 1908 to the trial of suits. Therefore the provisions of Order 6 Rule 16 and Order 7 Rule 13 of the Code of Civil Procedure apply in this case.

Order 6 Rule 16 of the Code of Civil Procedure 1908 reads as follows :—

"The court may at any stage of the proceedings order to be struck out or amended any matter in any pleading :—

- (a) which may be unnecessary, scandalous, frivolous or vexatious, or (b) which may tend to prejudice, embarrass or delay the fair trial of the suit,
- (c) which is otherwise abuse of the process of the Court."

Under 7 Rule 77 of the Code of Civil Procedure, 1908 reads as follows :—

"The plaint shall be rejected in the following cases—

- (a) where it does not disclose cause of action;
- (b) where the relief claimed is under valued, and the plaintiff on being required by the Court to correct the valuation within time to be fixed by the Court, fails to do so;
- (c) where the relief claimed is properly valued but the plaint is written upon a paper insufficiently stamped and the plaintiff, on being required by the Court to supply the requisite stamp paper within a time to be fixed by the Court, fails to do so;
- (d) where the suit appears from the statement in the plaint to be barred by any law."

In the instant petition the question of applicability of clause (a) above has been considered to the extent that if the petition does not disclose a cause of action,

The petitioner referred to section 13AA of the Representation of the People Act, 1950 which refers to the nomination of a District Election Officer and who has to perform his functions as may be entrusted to him by the Election Commissioner or the Chief Electoral Officer. He then referred to section 23 to the Act and claimed that the notification was issued on 15-10-1984 by a Gazette Notification and that the process of Election started with effect from 15-10-1984. He referred to the definition of the District Election Officer and Elector and General duties assigned to the District Elections Officer in conducting elections.

It has been argued on his behalf that the provisions of section 81 of the Act do not include the provisions of section 83 of the Act. Section 81 refers to the presentation of the petition and as the definition of an 'election'. Then it has been argued on his behalf that section 86 does not include the provisions of section 83 of the Act.

The petitioner relied on the case of K. Kanaraja Nadar Vs. Kunju Thevar and others (AIR 1958 S.C. 687) in which case the word "contesting candidate" has been defined and it was held that the defect can be cured by amendment of the petition under Order 1 Rule 10, Order 6, Rule 17 and Order 23 Rule 1 C.P.C. But in the instant case, the petitioner has not sought the amendment of his pleadings. He further relied on the case of Om Prabha Jain Vs. Gian Chand and another (AIR 1959 S.C. 837) in which case, the word "trial" has been defined which point also has been discussed.

Section 86(1) of the Act lays down that the High Court shall dismiss an election petition which does not comply with the provisions of section 81 or Section 82 or Section 117 of the Act and that the dismissal of an election petition under this provision shall be deemed to be an order made under clause (a) of Section 98 of the Act. As referred to above, section 81 of the Act deals with the presentation of an election petition. Section 82 refers to the joinder of the respondents in the petition and has no application to the present case as all the contesting candidates have been joined as respondents. Section 117 refers to the deposit of the security amount which also has been deposited.

It has further been contended that the provisions of Section 83 of the Act are not included in the provisions of Section 86(1) of the Act which is a penal section requiring

dismissal or an election petition in case of non-compliance of the requirements of sections 81, 82 and 117 of the Act. But it was held in the case of Mithlesh Kumar Pande Vs. Vaidya Yadav and others (AIR 1984 SC 305) that where the copy of the petition supplied to the returned candidate contained mistakes as regards the names of the persons in the list or there was other omission of some names which have been mentioned in the election petition but not in the copy, the election petition was liable to be dismissed in limine. Section 100(1)(b) of the Act lays down that subject to the provisions of sub-section (2) if the High Court is of opinion that any corrupt practice has been committed in limine. Section 100(1)(b) of the Act lays down other persons with the consent of the returned candidate or his election agent or that any nomination has been arbitrarily rejected or that the result of the election insofar as it concerns with the returned candidate has been materially affected (i) by the improper acceptance of any nomination, or (ii) by any corrupt practice committed in the interest of the returned candidate by an agent other than his election agent, or (iii) by the improper reception, refusal or rejection of any vote or the reception of any vote which is void, or (iv) by any non-compliance with the provisions of the Constitution or of this Act or of any rules or orders made and this Act the High Court shall declare the election of the returned candidate to be void. Section 100 (2) of the Act lays down the norms where the election of the returned candidate is to be held as not void. The petitioner relied on the case of Bhikaji Kesheo and another Vs. Brij Lal Nand Lal and others (AIR 1955 SC 610) in which case it was held that the Tribunal should not dismiss the petition outright where particulars can be called. But it was held in the same case that the primary responsibility for furnishing full particulars of the alleged corrupt practice was on the petitioner and that there was no duty cast upon the Tribunal to direct suo moto for better particulars; and in the instant case the petitioner, on the contrary, claimed that his petitions, contents are in accordance with the provisions of section 83(1)(a), (b) and (c) of the Act. So it has to be seen in this case that if the particulars given in the petition conform to the requirements of law.

It was held in the case of Madan Lal Vs. Zarghan Haider and others (AIR 1958 All 596) that where corrupt practices are alleged in such vague terms that it is not possible for respondent to meet the allegations made in the petition the Tribunal is justified in striking off the pleadings contained in those paragraphs. This case was overruled in the case of Balwan Singh Vs. Lachmi Narain and others (AIR 1960 SC 770).

The petitioner relied on the case of Raghbir Gill Vs. Gurcharan Singh Tohra (AIR 1980 SC 1362) in which case it was held that in order to ensure purity of election, it is better to so constitute section '00 as to embrace within its fold all conceivable infirmities which may be urged in fighting an election. Thus the Act has to be interpreted in a way that helps to achieve the constitutional goal.

The petitioner relied on the case of Manphool Singh vs. Surendra Singh (AIR 1973 1973 SC 2158)) in which case it was held that the charges of corrupt practice are quasi-criminal and should be proved sufficiently and that every pleading should contain only a statement in concise form of material facts on which the party pleaded relies for his claim or defence, as the case may be, but not the evidence by which they are to be proved. This provision of law is not to be disputed. But it has to be seen that if there has been compliance of provisions of section 83(1)(a) of the Act.

The petitioner further placed reliance on the case of Roop Lal Sathi Vs. Nachhaftar Singh (AIR 1982 SC 1559) in which case the High Court directed deletion of certain paragraphs of the petition on the ground that there was no disclosure of the material facts sufficient to give rise to a case of action under section 100(1)(d)(iv) of the Act. It was held in appeal that the order passed by the High Court directing that paragraphs 4 to 18 of the election petition be struck out cannot be sustained on the terms of order 6 Rules 16 of the Code of Civil Procedure as there was no finding that the averments in the said paragraphs of the petition

are either unnecessary, frivolous or vexatious or that they were such as might tend to prejudice, embarrass or delay to fair trial of the petition nor was there any finding that the averments therein were such as to constitute abuse of the process of the court. This much is clear from this citation that the provisions of order 6 Rule 16 of the Code of Civil Procedure are applicable to an election petition and that it has to be decided that if any paragraph of the petition is either necessary, frivolous or vexatious or it might tend to prejudice, embarrass or delay the fair trial of the petition or that it constitutes an abuse of the process of the court.

In the case of Sampat N. Balakrishna etc. Vs. George Fernandez and others (AIR 1969 SC 1201) it was held that the penalty of summarily dismissal was enjoined in petitions which did not comply with the requirements and that the entire and complete case of action must be given in the petition in the shape of material facts. But it was further held in the same case that the provisions of section 83 of the Act are mandatory and that the entire and complete cause of action must be stated in the shape of material facts while the furnishing of particulars too is necessary for picture of full cause of action.

On the other hand, in the case of Udhoo Singh Vs. Madnu Rao Scindia (AIR 1976 SC 744), a distinction has been drawn between "material acts" and "material particulars" that faulty written information of same single material fact leading to single cause of action and other allegations of such a charge are liable to be struck off under Order 6 Rule 16 of the Code of Civil Procedure, and also that if the petition is based solely on those allegations which suffer from lack of material facts, the petition is liable to be summarily dismissed for want of cause of action. It was held in the case of Arun Kumar Bose Vs. Mohd. Furqan Ansari (1984 I SCC 91) that allegations made against the elected candidate must be clear and specific. It was held in the case of Daulat Ram Chauhan Vs. Anand Sharma (1984) 2SCC 64) that allegations of corrupt practice must be strictly construed. It was held in the case of Charan Lal Sahu Vs. Gyani Zail Singh (1984 1 SCC 390) that pleadings must be clear and specific.

In the light of the aforesaid law, laid down with regard to the election petitions, when we examine the various paragraphs of the present election petition, it is evident that the pleadings do not conform to the required standards of the statute.

The paragraphs 1; 2, 3, 4, 5, 6, 7, 8, 9 and 10 of the petition refer to facts which are not disputed.

In paragraph 11 it has been alleged that the petitioner's position was better than the respondent no. 1 in certain constituencies. But the final result was based on the result of all the constituencies and this paragraph has been unnecessarily included although it's being part of the pleadings has not been challenged by the respondent no. 1.

Paragraph 12 refers to the posting of Sri R. N. Sinha as District Magistrate, Gonda. He was posted there on 23-6-1984 while the election of the parliament had taken place on 24-12-1984. The notification was for the first time issued on 15-10-1984 and the nomination papers were accepted on 20-11-1984. Thus it is evident that Sri R. N. Sinha was posted as District Magistrate, Gonda much before the contemplation of Election itself. Therefore there could be no motive for the leaders, Sri Narain Dutt Tewari and Sri Vishwanath Pratap Singh, and other Congress (I) leaders to get him posted at Gonda for purpose of getting furtherance of the prospects of the Election. In this paragraph it has been alleged that he started making efforts to improve the image of the Congress (I) party and he had not remained impartial. Only vague averments have been made in this paragraph as it has not been clarified or elaborated that how, when and where he made efforts to improve the image of the Congress (I) party by performing his duties as Returning Officer. In view of the definition of corrupt practice given in Section 123 of the Act, improving the image of any party is not defined to be a corrupt practice. All that Section 123(7) of the Act lays down is that of giving assistance by any of the officers, enumerated therein.

In paragraph 13 it has been alleged that the party leaders, Sri Narain Dutt Tewari and Sri Vishwanath Pratap Singh, obtained and procured the assistance of the respondent no. 15 Sri R. N. Sinha, and some of his subordinate officers with the consent of the respondent no. 1 and that the respondent no. 15 so manoeuvred the arrangement of the polling as well as of the counting for furtherance of the election prospects of the respondents no. 1 that the same was bound to materially affect the result of the election and that the ballot boxes were not deliberately supplied sufficient number at some polling stations. Large number of voters willing to cast their votes in favour of the petitioner had to return back disappointed; that the ballot papers were kept in canvas bags or in biscuit boxes for being replaced by spurious and duplicate ballot papers and also that the respondent no. 1 and respondent no. 15 became successful in this strategy and conspiracy. It is evident from the wordings of this paragraph 13 that the alleged material facts have not been mentioned in a concise form. Even though mentioned in details, full particulars of the material facts referring to corrupt practice have not been given. It has not been mentioned that how, where, when and in what manner the leader Sri Narain Dutt Tewari and Sri Vishwanath Pratap Singh procured the assistance of the respondent no. 15 and his subordinate officers. Also it has not been mentioned that how the consent of the respondent no. 1 was obtained by them. It has not been clarified that how the respondent no. 15 manoeuvred the arrangement of the polling for furtherance of the prospects of the respondent no. 1 so as to materially affect the result of the election. The respondent No. 1 has specifically mentioned in his written statement that the canvas bags had to be used under the directions of the Election Commission and the Chief Election Officer wherever there was shortage of ballot boxes. It was a secret voting—The use of canvas bags was not unauthorised. The position of the ballot boxes has been elaborated in Rule 29 of the Conduct of Election Rules 1961. It has not been pleaded that any other resign was approved by the Election Commission or the Chief Election Officer. The petitioner presumed that the voters in certain constituencies where ballot boxes were not supplied in sufficient number had to cast their votes in his favour, and had to return back. The voting was secret and the simply drew inference and surmises the election was materially affected by the supply of canvas bag what strategy and conspiracy proved successful between the respondent no. 1 and the respondent no. 15, is not clarified. He inferred it only because the respondent no. 1 was declared successful in that election. Moreover the facts, relating to the counting have been intermingled in this paragraph 1 which was meant for pleading corrupt practice. Sweeping allegations have been made involving the leaders of the party as well as respondents nos. 1 and 15. These allegations are obviously vague, vexations and unnecessary.

Paragraph 14 of the Petition is in continuation of paragraph 13 and it has been alleged that the agents workers and supporters of the petitioner had to face the situation on account of non-availability of ballot boxes after filling up of one or two ballot boxes available at those booths and that hundreds of voters had to go back without casting their votes on account of non-availability of ballot boxes, and also that for hours polling had to remain suspended. The details are given in Schedule I. The wording of this paragraph did not constitute material facts but they are circumstantial in nature. The petitioner could not give exact number of the ballot boxes which were filled and the number of polling stations. He mentioned that one or two boxes were filled and some polling stations the polling had to remain suspended for hours. He did not mention as to for how many hours or for what time the polling remain suspended. He claimed that the details were supplied to him by his polling agents but he did not mention those exact details. He claimed that some letters were given by the Presiding Officer to some responsible persons of the polling centres and that some of those letters were made available to the petitioner. But it has not been mentioned that by whom and to whom those letters were given nor they have been made part of the Petition. In schedule I an estimated number of voters who had returned back without casting their votes has been given. But it is all based on imagination. Not even a name of single voter has been given might have returned back on account of non-availability of ballot boxes. So this paragraph consists

of vague allegations.

In paragraph 15 the petitioner mentioned that the canvas bags and the biscuit boxes were apparently sealed in the presence of the biscuit boxes were apparently that either before the counsel of the same to Thompson College, Gonda, the place reserved for their safe custody or during the course of transit, these canvas bags and biscuit boxes were opened and the ballot papers cast in favour of the petitioner and other candidates excluding the respondent no. 1, were taken out or destroyed and same were replaced by spurious and duplicate ballot papers stamped in favour of respondent no. 1 and the same were kept in proper ballot boxes and that respondent no 15 had told them that the ballot boxes had been supplied in the evening of 24-12-1984 and the ballot papers kept in the canvas bags etc. had been put into the ballot boxes in the presence of the polling agents. All these pleadings are based on conjectures. The word "apparently" shows that the canvas bags were sealed in accordance with the rules. The words "it appears" show that the petitioner or his agents had no personal or specific knowledge of the allegations made against respondent no. 15. It has not been pleaded that the use of canvas bags or biscuits boxes was not authorised. It has also not been mentioned that any seal of any ballot box was found broken. Respondent no. 15 denied in his written statement the shifting of any ballot papers from canvas bags to ballot boxes.

In paragraph 16 of the petition it has been pleaded that the voters who returned back for want of ballot boxes would have votes for the petitioner. It is based on imagination and is in continuation of paragraph 15 and both these paragraphs are evidently vague and unnecessary. The petitioner is not definite that if the ballot papers contained in the canvas bags and biscuit boxes were disturbed or they were replaced. In schedule 2 the number of ballot papers kept in a canvas bags and biscuit boxes and the number of canvas bags or biscuits bags used are given which could have no relevancy with the present petition.

The paragraph 17 is the repetition of the averments made in paragraph 14 and 15 and is unnecessary.

In paragraph 18 a reference has been made to some publication in the daily "Swatantra Bharat" of 29-12-84. There is no averment of any corrupt practice in it and this paragraph is also unnecessary.

Thus the paragraphs 12 to 18 of the Petition are either vague or unnecessary or vexatious or irrelevant.

Reference may be made to the case of Daulat Ram vs. Anand Sharma (A.I.R. 1984 S.C. 621) in which case the case of Samant N. Balkrishna vs. George Fernandez was also considered. It was held in this case that a person may, due to sympathy or on his own, support the candidature of a particular candidate but unless a close and direct nexus is proved between the act of the person and the consent given to him by the candidate or his election agent, the same would not amount to a pleading of corrupt practice as contemplated by law. The allegation of corrupt practice must be so clear and specific that the inference of corrupt practice will irresistibly admit of no doubt or qualm. It cannot be left to time, chance or conjecture for the court to draw an inference by adopting an involved process of reasoning.

The respondent No. 1 relied on the case of Hardwari Lal versus Kanwal Singh (A.I.R. 1972 S.C. 515) in which case it was held that :—

"An election petition must contain material facts and full necessary particulars of seeking assistance of Government servants for furthering election prospects of a candidate and that an election petition which does not set out material facts and particulars of corrupt practice so as to furnish a cause of action, can be dismissed by virtue of section 87, though not under section 86."

The respondent No. 1 further relied on the case of K. Prabhakara Rao versus M. Sesagiri Rao and another (A.I.R. 1981 S.C. 658) in which case it was held that :—

"Where there was absolutely no allegation in the pleadings to show that at any time after having filed his nomination papers, the candidate made any efforts to seek the assistance of the Tahsildar in furthering his election prospects or in any way helping him to win the election, the allegation of corrupt practice of seeking assistance of public officers for furthering one's election prospects could not be sustained for want of necessary particulars required by law."

Thus the paragraphs 12 to 18 of the election petition are liable to be struck off.

Civil misc. applicant on No. 44(E) of 1985 releases to paragraphs 19 to 37 of the Election Petition. The petitioner pleaded in these paragraph that there has been improper reception and counting of invalid votes in favour of respondent No. 1, improper rejection of valid votes of the petitioner, incorrect and wrongful counting of votes, falling down of arrow on account of seals being defective and the counting of 5200 invalid ballot papers as valid ballot papers. He referred to Schedule III. In Schedule III the ballot papers wrongly rejected are counted at 614 and the number of counting tables are given. This figure has no co-relation with the averments made in paragraphs 20 and 21 as in paragraph 20,500 ballot papers cast in favour of the petitioner are alleged to have been rejected and in paragraph 21, 5000 invalid ballot papers are alleged to have been counted for respondent No. 1. The counting agents were present at the time of counting and these allegations which have now been made in the petition are not substantiated by any authentic document, for which in the circumstances they could have moved an application at the time of counting with these specific allegations and those application could be made part of this petition. So all these allegations are based on conjectures and appear to have been framed for the purposes of this petition. These allegations are vague and they do not make out case of recounting.

It has been mentioned in paragraph 22 that the counting agents of the petitioner repeatedly raised objections against reception, in the counting, of invalid votes as valid votes in favour of respondent No. 1 but their objections were not entertained in writing and their verbal objections were ignored by saying that they would have opportunity of those votes recounted. All this is not believable on the face of it. The counting agents of the petitioner must have been educated persons or at least literate persons were required to move applications in writing and it is not believable that they were satisfied on being assured that recounting would be done immediately after the completion of the counting. It has further been pleaded in the same paragraph that the petitioner's counting agents were not permitted to inspect closely such ballot papers about which they had raised objections and they could not note down the ballot papers number of such ballot papers but they used to note down on their respective sheets the numbers of such improperly and illegally accepted ballot papers. A reference was again made to Schedule III. This averment again shows that the counting agents of the petitioner were permitted to inspect the ballot papers and they were able to note down the numbers of such ballot papers on their respective sheets which were improperly and illegally accepted ballot paper. The contention that they could not note down stands self-contradicted. If they could not closely inspect the ballot papers, it did not mean that they could not be disclosed at it was a secret ballot. Schedule III has no relevancy as discussed above. So the allegations of this paragraph are also vague.

It has been mentioned in paragraph 23 that large number of unauthorised persons were permitted to enter the counting Pandal. Not a single name of any such unauthorised person has been mentioned in it even though it was mentioned that they posed a constant threat to the life any security to the petitioner's agents. So this paragraph is not only vague but is also vexatious and frivolous.

In paragraphs 24 and 25 the petitioner alleged that there has not been any recounting or re-checking and his agents' applications were not entertaining by the authorities and that 5000 valid votes of the petitioner were declared as invalid. Reference has been made to Schedule IV. But the columns

of Schedule II and Schedule IV are identical and they do not disclose any material point nor they create any cause of action. The counting of 5000 invalid ballot papers was pleaded in paragraph 21 also and it has been unnecessary repetition of the same contention. As discussed above, it is not believable that the written applications of the agents of the petitioner were not entertained. Rule 63 of the Conduct of Election Rules, 1961 lays down that :—

"After the completion of the counting, the Returning officer shall record in the result sheet in Form 20 the total number of votes polled by each candidates and announce the same and that after such announcement has been made, a candidate or, in his absence, his election agent or any of his counting agents may apply in writing to the Returning officer to recount the votes either wholly or, in part, stating the rounds on which he demands such recount. On such an application being made the Returning officer shall decide the matter and may allow the application in whole or in part or may reject it in toto if it appears to him to be frivolous or unreasonable and every decision of the Returning officer under sub-rule (3) shall be in writing and contain the reasons therefor. "So the pleadings of these paragraphs are also vague and unnecessary."

In paragraph 26 the petitioner alleged that no written objections of the petitioner's agents were entertained at the of the rejecting of certain ballot papers and that they were assured that there would be re-checking and also that they could not down the number of ballot papers. A reference has been made to Schedule IV. It is again repetition of the pleadings which were raised in paragraphs 22 and 24. This paragraph is also vague and unnecessary as discussed above.

In contradiction with his other averments, the petitioner pleaded in paragraph 27 that the application of his counting agent of table No. 16 was entertained and was rejected by the returning officer. The pleadings raised in this paragraph falsify his previous pleadings and they show that the petitioner did not come with clean hands. Under Rule 63 his application would be validly rejected by the Returning Officer. As such this has also been unnecessarily introduced in this petition.

Again, in paragraph 28 it has been mentioned that an application was moved on behalf of the petitioner for recounting and for re-checking immediately after the completion of the counting of votes and that the same was entertained by the Returning Officer and even the order of re-checking was passed but actually no re-checking was done, and rather contradictory order was passed on other application moved by the petitioner resulting into illegalities and irregularities. Again the averments of this paragraph show that the petitioner had made wrong allegations in his previous paragraphs that his written objections and applications were not entertained. Further, he has not disclosed that what illegalities and irregularities were committed during the course of counting. He himself pleaded that an order was passed on his application or recounting. His contention that actually no re-checking was done is not supported by any convincing circumstances or documents. So this paragraph is frivolous.

The pleadings of paragraph 29 indicate that there has been a large scale rigging in election and there has been an improper and illegal counting. It is not understandable that there could be rigging in the counting. How there has been any illegality and improper counting is not clarified in this paragraph. It is also not mentioned that who did this rigging and illegal and improper counting. So this paragraph is also unnecessary.

There has been repetition of the averments of paragraph 23 in paragraph 30 of the petition. Since the entrance of twenty unauthorised persons has been mentioned in it, this paragraph is also unnecessary.

In paragraph 31 the petitioner alleged that the Returning officer and the Assistant Returning officers avoided to entertain the applications in writing regarding the entry of

unauthorised persons in the counting Pandal and that some of them were armed, intending Sri Anand Singh, M.P. and Sri Pujari (a known criminal). But he has not mentioned the names of other such intruders. He made a sweeping remark that he was a known criminal. He did not disclose as to what act was done by these alleged intruders and who were the Returning Officer and the Assistant Returning Officers was refused to entertain his applications. It is not believable that the authorities refused to entertain his applications. This ground has been made for the purpose of this petition and this ground has also bear unnecessarily introduced.

In paragraph 32 it has been detailed that the intruders used to intermeddle with the ballot papers for keeping the votes of other candidates in the bundle of respondent No. 1 and that about 12,000 votes of the petitioner and more than 8000 votes of other candidates were included in the votes of respondent No. 1, as shown in Schedule V. Obviously these averments refer to corrupt practice and they do not have any link with the recounting. The averments made in this paragraph are not covered by the definition of 'corrupt practice' as contemplated by sections 100 and 123 of the Act. In case there was any reference to section 123(vii) of the Act, they cannot be said to be for the purpose of furthering the prospects of the election of any candidate. At best they refer to the involvement of some officers and officials, posted on counting duties, but they do not refer to respondent No. 1. Even any name of any such officer or official has not been disclosed in it. The figures of 14800 and 8,500 in schedule V have been mentioned on the basis of imagination and conjectures. So this paragraph also has been introduced unnecessarily without there being any footing for the same.

In paragraph 33 it has been alleged that the Returning Officer was not supervising the counting nor there has been any checking or re-checking of the ballot papers. It is again an averment against the Returning officer and not against respondent No. 1. Moreover, only vague allegations have been made in this paragraph without giving any specific instance that the Returning Officer evaded the performance of his duty even though his attention was drawn to the same. So the allegations made in this paragraph are also vague.

In paragraph 34 it has been mentioned that some of the counting supervisors of Tulsipur Assembly segment including Sri Bhola Pandey had reported to the Assistant Returning Officer that the counting agents of respondent No. 1 were themselves counting the votes. No name of any such counting agent has been mentioned nor it has been shown by any document that Sri Bhola Pandey had made any such report to any Assistant Returning Officer. Any name of the counting supervisor has also not been mentioned. Also it has not been mentioned that at which table such counting was being done by the counting agents of respondent no. 1. So the pleadings of this paragraphs are also vague.

In paragraph 35 the petitioner alleged that the transportation of ballot boxes had also not been done in accordance with law and that during the course of transportation large number of ballot boxes were reported to have been tampered with. The allegations are again vagaries and vague because it has not been disclosed that what sort of transportation was registered by law; and the petitioner made averments in this paragraph on the basis of some report by some persons. He had no personal knowledge and he received report from some other persons whose names also he did not disclose.

In paragraph 36 the petitioner pleaded that it was on account of insertion of serious or duplicate ballot papers in ballot boxes in large number of polling booths of almost all the five assembly constituencies that the ballot papers kept in the ballot boxes has increased or decreased and that at polling booth No. 67 of Balrampur Assembly Constituency the respondent No. 1 had secured only those hundred votes which were found to be in excess of the ballot papers used at the polling booth as mentioned in the ballot paper account. He referred to Schedule VI. It does not refer to improper selection of valid ballot papers. It is based on conjectures and inference. The Schedule shows that at some serials there has been a difference of one ballot paper and at others a difference of hundred ballot papers (as at serial No. 18) between the ballot papers used at the

polling booth and the ballot papers found in the ballot boxes. So the Schedule is not an authentic proof of the allegations made in this paragraph. Then, the insertion of spurious ballot papers could only be possible with the collusion of the officials. Therefore it is tantamount to corrupt practice and the provisions of Section 83(1)(a)(b) and of Section 123(vii) of the Act come into play. The final result sheet is prepared in form 20 in two parts and there are various columns in the same. Had the petitioner been possessed of correct figures, he would have given those figures according to the columns of form No. 20. So these pleadings are also vague and unnecessary.

The paragraph 37 of the petition refers to the case of action. Neither any cause of action has been detailed in the foregoing paragraphs nor it has been discussed in this paragraph. So it is vague. Then follow the grounds of the Election Petition which are repetition of paragraphs No. 12 to 36.

The affidavit filed along with this Petition is not in conformity with the prescribed form No. 25. It was to be inserted after the words—"corrupt practice of "that what have been the corrupt practices." Then, while verifying the affidavit it has been mentioned that paragraphs 14, 15, 16, 17 and ground No. 7 were apparently true within the knowledge of the petitioner. There has not any verification regarding Schedule VI.

It is not disputed that the proceedings of election commences as soon as the Notification is issued and ends with the declaration of the results. The result is declared u/s. 66 of the Act.

The petitioner relied on Annexure 1 and 2 which were moved after the declaration of the results and there has been an order dated 29-12-84 of the Returning Officer. By means of these applications, the petitioner sought the re-checking of all the ballot papers. It has not been mentioned in these annexures land 2 that the petitioner's counting agents were not here to see the proceeding of counting. Annexure 3 is another application dated 29-12-84 praying for second wholesale counting and alleging there has been a wrong cancellation of votes. According to Rule 63(2) and (3) and Rule 56-A(3) grounds for claiming recounting should have been given. Also, in these objections and applications these allegations were not made which have been introduced in the Election Petition. All this shows that the allegations of the Election Petition have been introduced for the purposes of the petition itself.

It has been argued on behalf of the petitioner that there has been a difference of more than 3000 votes according to Schedules I to VI of the election petition and that the petitioner lost the election by 8656 votes only. But the petitioner has tried to play the jugglery of figures only which figures were based on imagination, conjectures and surmises. He could not point out any specific and definite instance in support of the figures which he gave in Schedules I to VI of the election petition.

It has further been argued on behalf of the petitioner that the objections against the corrupt practices were raised in the miscellaneous application no. 43(E) of 1985 only and that they could not be raised while arguing on civil miscellaneous application no. 44(E). But this argument has no force because this Tribunal has to look into the contents of the entire pleadings of the parties. The petitioner himself intermingled various points of recounting with the points of corrupt practice.

The respondent no. 1 relied on the case of Pratpal Singh Vs. Ranjit Rai and others, (AIR 1984 Delhi 138) in which case the petitioner's case was that Rule 56(3) was violated and it was held that since his agents had ample opportunity at the counting to note down the ballot papers which were sent to the Returning Officer, the petitioner should have given the serial number of the ballot papers, and the polling station number in relation to each ballot paper. It was further held that the allegations were vague and general and if an inspection was ordered, it would lead to a fishing enquiry with a view to find out some material to support the petitioner's case that he would have secured a larger number of votes than he actually secured. Reference to the case of Dr. Jagjit Singh Vs. Gian Kartar Singh and others (AIR 1966 S.C. 773 at page 783) was given in which the Hon'ble Supreme Court had again and again emphasised

that an election petitioner who was a defeated candidate had ample opportunity under the rules to examine the voting papers before they were counted, and, in case, the objections raised by him or his election agents, he knew *prima facie* the nature of the objections raised by him and the voting papers to which those objections related, and also that vague or general allegations that valid votes were improperly rejected, or invalid votes were improperly accepted would not serve the purpose which section 83(1) has in mind. The figure given in the cited case was considered to be a figment of the imagination of the petitioner.

The respondent further relied on the case of S. Raghbir Singh Gill Vs. S. Gurcharan Singh Tohra and others (AIR 1980 S.C. 1362) in which case it was held that recounting cannot be ordered just for the asking. And that a petition for recount after inspection of the ballot papers must contain an adequate statement on material facts on which the petitioner relies in support of his case and that the Tribunal must be *prima facie* satisfied that in order to decide the dispute and to do complete justice between the parties, an inspection of the ballot papers is necessary. As was held formerly also, it was further held in this case that the discretion conferred in this behalf should not be exercised in such a way so as to enable the applicant to indulge in a roving inquiry with a view to fishing out materials for declaring the election void.

In the case of Bhabhl Vs. Sheo Govind and others (AIR 1975 S.C. 2117), certain imperative conditions have been laid down which before the Court can order inspection of ballot papers. The petition does not fulfil these conditions, as discussed at length considering every relevant paragraph of the petition.

On the other hand, the petitioner relied on the case of K. Venkateswara Rao Vs. Bekkam Narasimha Reddi and others (AIR 1969 S.C. 872) in which case it was held that taint of corrupt practice attaches both to the payer or payee of illegal gratification and that necessary party must be joined with in the period of limitation. The facts of this case are not applicable to the present case.

The petitioner relied on the case of S. Siwaswami Vs. V. Malaikannan and others (AIR 1983 S.C. 1293) in which case it was held that a ballot paper should not be rejected if marking on ballot paper is indicative of identity of candidate for whom vote is cast. But the petitioner has not disclosed such ballot papers where the identity of the candidate for whom the vote was cast was indicated and the same was rejected. He simply made averments with a view to roving enquiry.

The petitioner relied on the case of Arun Kumar Bose Vs. Mohd. Furkan Ansari and others (AIR 1983 S.C. 91) in which case, the particulars of the ballot papers were not shown as they were not available during counting and it was held that pleadings set out material facts and no defect could be found with it. In the cited case, the number of wrongly rejected ballot papers was also furnished. It has not been established that the particulars of ballot papers were not available to the agents of the petitioner during counting. It was further held in this case that the returned candidate had not sought recrimination while the petitioner claimed receipt of majority of votes, and it was held that the claim of the petitioner could not be combated on ground that if remaining rejected ballot papers has been counted, petitioner would have polled majority of votes. The case cited in AIR 1982 S.C. 1959 was also considered in this case alongwith the case of P. Malai Chari Vs. M. Andi Ambalam and others (AIR 1973 S.C. 2077). But the facts of the cited case are absolutely different from the instant case. The pleadings of the Election petition are not covered by the facts of the cited case. In the cited case, invalid ballot papers were rejected for want of the signatures of the polling officer. During trial, it was found that rejection of 74 ballot papers for want of the polling officer's signatures was not justified. The petitioner in that case had secured in the first round 3160 votes while the respondent no. 1 could get only 4848 and another candidate had received 1172 votes. During trial, it was held that the respondent had received the majority votes polled at the election, and the decision of the trial court was upheld in appeal with the observation that the appellant happened to be an Advocate and he was expected to know the law.

Thus, the paragraphs 11 to 18 of the petition have either been unnecessary or vague or vexatious. The paragraphs 19 to 36 contain allegations of wrong counting of votes and improper rejection of valid votes. But not a single material fact in support of these allegations has been set out. The pleading violated the provisions of section 100 (i) (d) (IV) of the Act, although the pleadings have been made with a view to show that there has been a violation of the provisions of law. This principle of law is laid down in the case of Hari Ram Vs. Hira Singh [1984(2) S.C. Cases 36]. These pleadings referring to the wrong counting and improper rejection of valid votes have also been vague, frivolous, vexation or unnecessary. All these pleadings are, therefore liable to be struck down. The paragraphs 1 to 10 are statement of facts which are not sufficient to continue the Election petition. The paragraph 37 of the Election Petition does not contain the cause of action for the cause of action is disclosed in other paragraphs. On the basis of some figures which were pleaded as a result of imagination and surmises, it cannot be inferred that material facts and cause of action have been established. As such, there is nothing more in the case to be done and the case is at the stage of 'conclusion of trial' as contemplated by Section 98 of the Act. In view of the case of Hardwari Lal Vs. Kanwar Singh (1972 S.C. 515), an Election Petition has to be tried, as nearly as may be, in accordance with the Code of Civil Procedure, as is the spirit of section 87 of the Act, and it is likely to be dismissed like a suit which does not furnish a cause of action.

Therefore, the Civil Misc. Applications 43(3) and 44(E) are allowed while the objections vide 51(1) and 52(E) are dismissed.

The Election petition No. 6 of 1985 is dismissed with costs to the contesting respondent no. 1 which costs are assessed at Rs. 2000. The costs shall be paid out of the security money.

Substance of the judgment shall be sent forthwith to the Election Commission and the Hon'ble Speaker of the Lok Sabha, Certified copies of the judgement shall be expeditiously sent to the Election Commission in duplicate.

PARMESHWAR DAYAL
[No. 82]UP-HP[6]85(LKW) 3823]
S. C. JAIN, Secy.
Election Commission of India

गुरु-नव
नई दिल्ली, 21 अप्रैल, 1986

प्रा. प्रा. 93—मुख्य निवाचन प्रधिकारी, कर्नाटक बैंगलोर, की नियुक्ति के बारे में भारत के राष्ट्रपति, मात्रा-2 खण्ड 3(iii) में प्रकाशित निवाचन याचयोग की नारीब 27 मार्च, 1986 की प्रधिमूलता से 154/कर्नाटक/85 में श्री जी. मुनियप्पा श्राई ए.एस.मिश्र सहयोग विभाग के स्थान पर निम्ननिवित शब्द रखे जाएँगे:—

“श्री जी.मुनियप्पा, प्रा.ए.एस., सहित विभाग, कर्नाटक सरकार।”

[सं. 154/कर्नाटक/85]
प्राप्तेष मे,
अर. पी. चला, सचिव

CORRIGENDUM
New Delhi, the 21st April, 1986

O.N. 93.—In the Election Commission's Notification No. 154/KT/85, dated the 27th March, 1986 published in the Gazette of India, Part II, Section 3(iii), regarding designation/appointment of the Chief Electoral Officer, Karnataka, for the words "Shri G. Muniyappa, IAS, Secretary to Government Co-operation Department, Government of Karnataka" the following words shall be substituted:—

"Shri G. Muniyappa, IAS, Secretary to Government Education Department, Government of Karnataka".
[No. 154/KT/85]
By Order,
R. P. BHALLA, Secy.